

## SENATE

SATURDAY, FEBRUARY 14, 1931

(Legislative day of Monday, January 26, 1931)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Sheppard
Barkley	Fletcher	La Follette	Shipstead
Bingham	Frazier	McGill	Shortridge
Black	George	McKellar	Smith
Blaine	Gillett	McMaster	Smoot
Blease	Glass	McNary	Steiwer
Borah	Glenn	Morrison	Stephens
Bratton	Goff	Morrow	Swanson
Brock	Goldsborough	Moses	Thomas, Idaho
Brookhart	Gould	Norbeck	Thomas, Okla.
Broussard	Hale	Norris	Townsend
Bulkley	Harris	Nye	Trammell
Capper	Harrison	Oddie	Tydings
Caraway	Hatfield	Partridge	Vandenberg
Carey	Hayden	Patterson	Wagner
Connally	Hebert	Phipps	Walcott
Copeland	Heflin	Pine	Walsh, Mass.
Couzens	Howell	Ransdell	Walsh, Mont.
Cutting	Johnson	Reed	Waterman
Dale	Jones	Robinson, Ark.	Watson
Davis	Kean	Robinson, Ind.	Wheeler
Dill	Kendrick	Schall	

Mr. TOWNSEND. I desire to announce that my colleague the senior Senator from Delaware [Mr. HASTINGS] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. BARKLEY. My colleague [Mr. WILLIAMSON] is unavoidably absent. I will let this announcement stand for the day.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present.

## CONFEREES ON AGRICULTURAL DEPARTMENT APPROPRIATION BILL

Mr. McNARY. Mr. President, through inadvertence the names of the Senator from New Hampshire [Mr. KEYES] and the Senator from Wyoming [Mr. KENDRICK] were omitted from the list of conferees on the bill (H. R. 15256) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes. I ask that they be included as conferees on the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House insisted upon its amendments to the bill (S. 4022) to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ZIHLMAN, Mr. HALL of Indiana, and Mrs. NORTON were appointed managers on the part of the House.

The message also announced that the House had passed a bill (H. R. 16969) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1932, and for other purposes, in which it requested the concurrence of the Senate.

## ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 16297. An act to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926 (44 Stat. 630), and acts amendatory thereof; and

H. R. 16626. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other

than the Civil War, and to widows of such soldiers and sailors.

## INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. CUTTING. Mr. President, owing to the parliamentary situation I am going to be exceedingly brief in my reference to the statement made by the senior Senator from North Dakota [Mr. FRAZIER]. I attended the hearings conducted by the Senator and his subcommittee on Indian Affairs, and I say that those hearings, in my opinion, were conducted with manifest fairness to both sides.

I think every Senator in the Chamber appreciates the earnestness and the zeal with which the senior Senator from North Dakota has fought the battle of the Indians. I want to confine my remarks this morning to just one or two points.

During the hearings reference was made to the fact that Commissioner Hagerman had been removed as governor by President Roosevelt. The Senator from Montana [Mr. WHEELER] introduced into the record the letter which President Roosevelt wrote to Governor Hagerman stating in very forceful language his own position. I asked at that time in fairness to Mr. Hagerman that the whole correspondence should be placed in the record. There may have been some misunderstanding about this, because yesterday the Senator from North Dakota said:

Mr. Hagerman made no particular defense further than saying in substance that inasmuch as Mr. Roosevelt was President of the United States he acknowledged his authority and therefore he had sent in his resignation.

If a letter stating anything of that sort was the only letter from Mr. Hagerman placed in the record, then what I asked was not carried out, because the correspondence which I had in mind consisted of six or seven letters on both sides of the case. I make a point of that because these incidents happened a quarter of a century ago, because they have been the subject of political controversy ever since, and because I think that almost every citizen of New Mexico at the present day would unite with me in saying that President Roosevelt's action was based on mistaken grounds.

I yield to no one in my admiration and affection for President Roosevelt; but, like other human beings, he was fallible, and this, in my opinion, as I told him a number of times, was one of the occasions on which he was mistaken. Knowing the Senator from North Dakota and the Senator from Montana as well as I do, I am convinced that if they had been living in New Mexico at that time they would have been supporters of the reform element which was headed by Governor Hagerman and would have been opposed to the influences that succeeded in obtaining his removal.

With regard to the specific question as to Governor Hagerman's performance of his present official duties, the main point brought up against him was the conduct of the auction at which the Rattlesnake oil field was leased. The meeting was held at Santa Fe on October 15 and was presided over by Mr. Burke, Mr. Hagerman's superior officer. Mr. Hagerman was also present. The leases were made in accordance with law. The lease for the Rattlesnake structure was sold for a thousand dollars to a man named Munoz, from New York, and, as the Senator from North Dakota accurately stated, it was later sold at an enormous profit to the Continental Oil Co. Of course, as Senators are aware, that kind of incident happens all the time in oil-producing districts. There was no other bid except the \$1,000 bid from Mr. Munoz.

A short while before a very valuable structure had been discovered at the Hogback formation, about 9 miles away. Everyone who was bidding knew that the Hogback well was profitable. The question was whether or not the Rattle-



snake structure, 9 miles away, was of the same formation as the Hogback structure.

Governor Hagerman said before the committee that the geological report which he had in his possession showed that the Rattlesnake structure was entirely different from the Hogback formation and that therefore there was very little chance of finding oil there.

The Senator from North Dakota yesterday read to the Senate a report by a Government geologist showing that the Rattlesnake structure was practically identical with the Hogback structure. That report was dated October 13, and was received by the Indian Bureau on October 15. The only question is whether that report, or advance copies of such report, had been available to Commissioner Hagerman or to Commissioner Burke at the time this auction was conducted. Of course that is possible, and if such was the case, then I think both Commissioner Burke and Mr. Hagerman were culpably negligent in the way they conducted the sale; but no evidence whatsoever has been produced of any such state of affairs. In the absence of such evidence, it is natural to assume that a report made on October 13 and received at the Indian Bureau on October 15 was not available at Santa Fe on the 15th, the date on which the sale was conducted there.

Senators who are not familiar with the local situation may become confused between the two tribes of Indians with whom Governor Hagerman was officially connected. In 1923 he was appointed commissioner for the Navajo Indians. In that capacity he represented the Indians; he was their advocate and their guardian. Two years later he was appointed to a totally different office, being selected as a member of the so-called Pueblo Lands Board, which sat as a judicial body to settle questions of title between the Indians and the non-Indians in an entirely different area—the Pueblo area. In that capacity he was not representing the Indians any more than he was representing the settlers. There was no conflict between his duties as advocate and guardian for the Navajo Indians, and his judicial duties concerning matters totally unconnected with the Navajo Indians in any way.

Mr. KING. Mr. President, will the Senator from New Mexico yield to me for a question?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Utah?

Mr. CUTTING. I yield.

Mr. KING. Is there any controversy as to the fact that when the appraisers appointed by the board visited the lands and made their returns, Mr. Hagerman, speaking for the board, in many instances reduced the appraisement in many cases far below the appraisal value found by the appraisers, and, instead of protecting the Indians in that way, his report was adverse to them? I am asking that in an interrogative form.

Mr. CUTTING. I will try to get to that in a few moments. I am merely trying to make the distinction first between the relation of Mr. Hagerman to the Navajo Indians on the one hand and his relation to the Pueblo Indians on the other.

The Pueblo dispute is one with which the Senate must naturally be fairly familiar, as there was a long controversy concerning it in the years from 1922 on. The Senator from North Dakota said on yesterday that the Pueblo lands—

Had been squatted upon by white settlers or by people some of whom were Mexican settlers.

And he speaks again of—

Some of these Mexicans, or residents there who were formerly from Mexico.

I should like to explain to the Senate that these people whom he describes as Mexicans are descendants of the old Spanish conquerors who settled on these lands early in the seventeenth century, some time before the founding of Jamestown or the landing of the Pilgrims from the *Mayflower*. That was at a time long before there was any Mexican Government. Later, of course, those lands, like all of the lands in the Southwest, were a part of the Mexican domain. These people are "Mexicans" only in the sense that the inhabitants of New England or Virginia might be called English because they once were under the

English Government. They have lived on this land in many instances for 300 years, with the exception of the time of the Pueblo revolt in the middle of the seventeenth century, when they were driven out for a time, but returned 12 years later.

Since 1680 they have lived on the most friendly and amicable terms with their Indian neighbors. They have had adjoining lands; they have in some cases intermarried; they have joined hands together in repelling the attacks of the fighting Indians, the Navajos and the Apaches. Until recently the non-Indians had no reason to suppose that the titles which they had to the lands on which they were living were in any way subject to dispute. Populous towns have been founded on the lands which were technically Indian lands; towns like the town of Taos and the town of Espanola, towns of several thousand inhabitants. Under these circumstances it seems to me a little unfair to say, as the junior Senator from Utah did yesterday—

I have never been able to believe that the statute of limitations should run against the Indians or against the Government, or that the white settlers there should acquire title by prescriptive right or by usage. I think that doctrine is unjust and unfair, just as much as it would be if applied to the Government itself.

I have no doubt that is a correct statement of the legal phase of the question, but I should like to remind the Senator that if that policy is to be carried into effect throughout the country we will have to bring the Pequots back and give them the city of Boston. We will have to bring the Seminoles back and give them the State of Florida. It is unfair that New Mexico should be the one State where title by adverse possession should not be acknowledged.

As a matter of fact, the Indians on these Pueblo lands are the only Indians in the United States who are to-day living in precisely the same circumstances that they were living 300 years ago with all their old communal traditions intact. I do not mean by that that they have not lost some land or some water rights; I do not mean that at all; but I mean that it is an intensely complicated question and that both sides to the controversy have a real right in equity. Congress, at any rate, decided when they passed the Pueblo land act that it was a complicated question and that both sides had rights which would have to be considered by the Government.

The Pueblo Lands Board has acted under the provisions of that act of Congress which was a compromise between the adherents of the Indians and the adherents of the settlers. Every case that was decided was a case on which there was a great deal to be said on both sides. As in other litigation, the party that loses is apt to think that the court was prejudiced against him. I have had some complaints from the Indians against the action of the Pueblo Lands Board, and some of them may have merit. I have had a great many more complaints from representatives of the settlers that the decisions of the lands board have gone against them. I do not think that the United States Senate is the tribunal which can properly pass upon matters of this sort.

What I want to emphasize is this: Governor Hagerman, as commissioner of the Navajos, was holding an office created for the protection of the rights of those particular Indians. No complaint against his action in such capacity was received at the hearings from any Navajos, so far as I know.

There was complaint against him from some of the Pueblos, against whom, possibly, he had made some adverse decisions, but I should like to call to the attention of the Senate the fact that the one case which was specifically criticized on yesterday was a case which the Pueblo Lands Board decided in favor of the Indians. Thereafter its decision was reversed by the district court and by the circuit court of appeals. So in that case, at any rate, it is unfair to criticize the Pueblo Lands Board. I know the Senator did not do it. No criticism devolves on the board for their decision in that particular case which was discussed yesterday.

Mr. President, I am just as much in favor of a square deal for the Indians as is any man in this Chamber. In



most parts of the United States the Indians have been disgracefully treated. I would not be prepared to defend the way they have been treated in all cases in New Mexico, but I think on the whole that they have come nearer receiving fair treatment in New Mexico than anywhere else.

The hearings before the subcommittee included the testimony of a great many sincere friends of the Indians. The chief case against Mr. Hagerman was made by Mr. John Collier, of the American Defense Society. I appreciate the magnificent work which Mr. Collier has done in behalf of the Indians. Without him the Indian situation would be far worse than it is to-day. We have got to give him credit for that.

Mr. FRAZIER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from North Dakota?

Mr. CUTTING. I yield.

Mr. FRAZIER. Is the Senator aware that on yesterday a resolution was adopted by the State Senate of New Mexico requesting the Senate of the United States to investigate John Collier and his organization, and stating that they have been a detriment to the Indians of New Mexico?

Mr. CUTTING. Mr. President, that is the first information I have had of it; but that does not alter my view of the situation. I am speaking only for myself and not for the State Senate of New Mexico.

I think Mr. Collier has done very valuable work. I think he is a crusader. I think he has the virtues of the crusader, and, perhaps, if I may say so without any depreciation of what he has done, I think he has some of the faults of the crusader.

I do not believe that even Mr. Collier would take the position that he is the only friend the Indians have. I know of hundreds of devoted people, both in New Mexico and elsewhere, who are spending most of their time in protecting the Indian rights as they see them. I think it is fair to say that the majority of these people believe that Mr. Hagerman, on the whole, has done good work for the Indians.

That does not mean that he has not made mistakes. It does not mean that there may not be things he has done that have been blameworthy. I do not know. I am not in a position to discuss these matters at first hand, because I have been busy with other matters; but I do think it is fair that the testimony of the majority of the people who I know are sincerely interested in the Indians should be taken into consideration in judging the record of Governor Hagerman in the positions which he has held.

Mr. BRATTON. Mr. President, before addressing myself briefly to the matter presented by the Senator from North Dakota [Mr. FRAZIER] yesterday, I desire to correct what may have been a misstatement made on my part during the discussion of yesterday.

I stated that throughout the proceedings before the Pueblo Lands Board, involving title to lands in dispute—the dispute being between the Indians on the one hand and settlers on the other—Mr. Fraser, an attorney from Denver, represented the Indians. According to information furnished me since making that statement, it was incorrect. Under the Pueblo Lands Board act, a suit must be filed, in the nature of one to quiet title, to carry out the determination made by the Pueblo Lands Board. It is my information now that Mr. Fraser's services begin at that point; in other words, that after the Pueblo Lands Board has determined the title to a given tract of land, Mr. Fraser institutes the suit to quiet title to carry that determination into force and effect.

Mr. FRAZIER. Mr. President, will the Senator yield?

Mr. BRATTON. Yes; I yield.

Mr. FRAZIER. Then the situation is that this attorney, Mr. Fraser, is a Special Assistant Attorney General assigned to this Pueblo Board as their legal adviser, or attorney for them?

Mr. BRATTON. No; I think that is not entirely accurate. He is a Special Assistant Attorney General commissioned to carry the awards of the Pueblo Lands Board into effect

by instituting suits to quiet title and set at rest the determinations of the board respecting titles.

Mr. FRAZIER. As I recall the testimony, when appeals were taken, Fraser was the man who represented the board on those appeals.

Mr. BRATTON. No; he represents the United States. The suit is filed in the name of the United States as guardian for the Indians. Mr. Fraser, as a Special Assistant Attorney General, institutes those suits in the name of the United States, representing the Indians. The Pueblo Lands Board is a judicial tribunal, which passes upon the matter in the first instance. Then Mr. Fraser, as an Assistant Attorney General, institutes a suit in the name of the United States to carry into effect the determination made by the board. Technically speaking, that is and has been his position in the matter.

Mr. FRAZIER. Mr. President, if the Senator will yield further—

The VICE PRESIDENT. Does the Senator from New Mexico further yield to the Senator from North Dakota?

Mr. BRATTON. Yes.

Mr. FRAZIER. As I understand, where the appeals were taken by the attorneys for the Indians—Judge Anderson and his firm—Mr. Fraser appeared, representing the board or the Government, if we may put it that way.

Mr. BRATTON. I do not know about that. The Senator may be correct.

Mr. FRAZIER. That is my understanding.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Nebraska?

Mr. BRATTON. Yes.

Mr. NORRIS. Will not the Senator have to modify his statement just a little from his last answer to the Senator from North Dakota? Where, in a case before this board, the Indians were defeated, and they took an appeal, in that case Mr. Fraser would be in court opposing the position taken by the Indians, would he not?

Mr. BRATTON. I do not know what Mr. Fraser does in those circumstances. The Indians, if I am correctly informed, have not appealed. It is doubtful if they have the right to appeal. It is questionable whether a decision against the Government binds the Indians. At any rate, independent attorneys—Messrs. Hanna and Wilson, at Albuquerque—have filed an independent suit. They are now undertaking to maintain that suit in behalf of the Indians themselves, and to bring the question to the Supreme Court of the United States. I do not know what Mr. Fraser is doing in that matter. I do not know whether he appears one way or the other, or just what his connection may be.

I stated yesterday that Mr. Fraser appears before the board itself, representing the Indians. I think probably that is incorrect. I think the correct statement is that Mr. Cochran, an attorney designated by the Bureau of Indian Affairs or the Secretary of the Interior, appears before the board and represents the Indians in the deliberations of the board, supplemented with the services of Hanna & Wilson, a firm of attorneys employed by the Indian Defense Society; and that after the Pueblo Lands Board has completed its consideration, if it results in an award to the Indians, Mr. Fraser enters the picture for the first time and institutes a suit to quiet title.

Mr. KING. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Utah?

Mr. BRATTON. Yes.

Mr. KING. I want to get this matter straight, and do no one an injustice.

Is not this the modus operandi—that Mr. Fraser has been appointed as the counsel for the board for the purpose of enforcing their awards. If their awards are against the Indians—and they usually are, as I am advised—the Indians may not appeal, as the Senator says, or at least there is some question of their right to appeal.

Mr. BRATTON. There is grave doubt about that.



Mr. KING. And if they are dissatisfied with the award, Mr. Fraser must appear to defend the award and not to upset it in the interest of the Indians.

The Government has refused to furnish the necessary lawyers to enable the Indians to prosecute appeals for the protection of what they conceive to be their rights; and Judge Hanna and Mr. Cornell, employed by an Indian society to defend them, have now prosecuted an appeal or sought to obtain a writ of certiorari to the Supreme Court of the United States for the purpose of determining whether these awards are correct; the court having held that if a person, after suit or just before suit was brought, pays the back taxes in a lump, no matter for how many years, then the prescriptive right becomes a valid right, and the claim of the Indians to the land is defeated; and there is no one then to protect the Indians in prosecuting that appeal unless some humane people go in and seek to invoke the law, if there is any law, in their behalf.

Mr. BRATTON. In those circumstances the Congress appropriates money to reimburse the Indians for the lands lost. Let me direct the Senator's attention to the fact that under the Pueblo Lands Board act, if the board decides that the Indians have lost land by prescriptive right on the part of settlers, the Indians are not without remedy. Instead of being decreed the land, Congress appropriates money with which to reimburse them for the value of the land thus lost; and, indeed, during the last several years we have appropriated large sums from time to time to reimburse the Indians for the lands thus lost.

So let us not be confused about that phase of this situation. The Indians in every case get either the land or its value in cash.

As my colleague [Mr. CUTTING] stated a while ago, this situation is the outgrowth of an association on the part of settlers and the Indians covering two centuries or more. Their lands have become interlocked and interspersed. Their social and commercial intercourse has become very close. They trade with one another; they intermarry; the outgrowth of that intercourse, covering a period of two centuries or more, has given the settlers rights which could not be taken away from them and do equity to them and their rights. So in 1924 the Indian Pueblo Lands Board act was passed, establishing a board, composed of a representative of the President, a representative of the Attorney General, and a representative of the Secretary of the Interior, to pass upon these complicated questions; first, to determine whether the Indians had lost title to the land, it being conceded by everyone that in the original case they owned the land, but it being the duty of the board to determine whether they had lost that title through a prescriptive right of the settler, and perhaps negligence on the part of the Government.

If they had not lost the land, the Pueblo Lands Board awarded title to them, and Mr. Fraser instituted a suit to quiet that title in the Indians. If, on the other hand, the board determined that the Indians had lost title to the land—that is to say, in equity the settlers should be protected, on account of their long occupancy and the payment of taxes and other acts specified—then the Indians were denied title, and Congress appropriated money to reimburse them for the loss thus sustained. So for the last several years, Mr. President, we have appropriated annually a large sum of money to carry into effect the awards of the Pueblo Lands Board so made.

Some criticism has been hurled at the board to the effect that their awards have been too low. No such complaint was registered with me until some two or three weeks ago. It may be true. I do not know; but the act affords the right of appeal. It has thrown about the Indians every safeguard that I can conceive. As I stated yesterday, four appeals were taken from awards of the board involving the question of value. The United States District Court of New Mexico affirmed the board in three cases, and increased the award in the fourth case by the nominal sum of \$7,000. I think two of those cases are now on appeal to the Circuit Court of Appeals, and are yet to be determined finally.

Mr. FRAZIER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from North Dakota?

Mr. BRATTON. I do.

Mr. FRAZIER. As I understand, one of those cases that was filed was thrown out because of the shortness of time given when the case was to be heard. The attorneys for the Indians, Judge Hanna and his firm, did not get the notice until after the case was called, and it was never tried at all.

Mr. BRATTON. The Senator gets that information from Mr. Collier?

Mr. FRAZIER. Yes.

Mr. BRATTON. It may be true. No one else has ever complained to me on that score.

Let me say here that I repudiate and denounce on this floor any insinuation by Mr. Collier or anyone else that the United States district judge in New Mexico is unfair to the Indians. It is beneath Mr. Collier or anyone else to make that kind of an imputation as to the United States District Judge Neblett.

Mr. President, Governor Hagerman needs no brief at my hands. He holds the position of Special Assistant Commissioner of Indian Affairs, assigned to the southwest region. He holds the position of a member of the Pueblo Lands Board. He draws one salary. I think it is \$6,500 a year, with \$2,500 for expenses. In other words, for one salary he serves in two capacities, and yet he is criticized for doing that.

Governor Hagerman may have made mistakes of judgment. He is not infallible. Perhaps anyone here would make mistakes of judgment if he were assigned to that position.

Much has been said about the tribal council of the Navajo Indians. I do not know anything about that except that such a council was established a few years ago, and has been held annually since that time.

It is significant, however, that since this question arose, and while the subcommittee of the Committee on Indian Affairs have been engaged in conducting hearings, attended by wide newspaper publicity throughout the State of New Mexico, a fact to which my colleague and I can both certify, not a single Navajo Indian has registered a protest or said that he or his tribe had suffered as a result of that tribal council. So much for that.

The serious complaint, indeed, the strong implication made by the Senator from North Dakota in his statement of January 21, was that the first act of Governor Hagerman after becoming special assistant to the Commissioner of Indian Affairs was to sell a certain oil and gas lease for a thousand dollars, and that within a year or so afterwards it sold for a million dollars. The Senator from North Dakota has reviewed that matter. No one disputes that it sold for a thousand dollars at public auction in the Federal building at Santa Fe, after being advertised in many of the leading oil journals throughout the country and in the press. An auctioneer was imported from Oklahoma to cry the sale. A man named S. C. Munoz, living in New York, and who owned a short railroad in New Mexico and who came there from time to time to look after his holdings, was present, and purchased that lease, paying a thousand dollars for it. According to my information, he endeavored immediately to secure a release from the purchase, and that was declined. He then tried to sell the lease to some oil people in Denver, and was unable to do so. He then started development on the leased premises, and fortunately struck oil. He sold the lease, or an interest in it, for approximately a million dollars within a year afterwards.

It is a question of wildcat territory proving successful. Throughout the hearings there was never a suggestion that Governor Hagerman profited one dime by the sale. Indeed, Mr. Collier himself replied to a direct question of the Senator from Wyoming [Mr. KENDRICK] that he had no information that Governor Hagerman had profited in any wise as a result of the transaction.

Some of the leases sold at the same time and place and by the same auctioneer were purchased by oil companies at various sums, and proved to be worthless. My memory is



that one of the leases was purchased at the price of \$46,000, and proved to be absolutely nonmineral in character. The purchasing company lost that investment.

It is my understanding that the Navajo Indians have received approximately half a million dollars in royalties from the premises thus sold at auction. It is a question of wildcat territory ceasing to be wildcat through actual discovery of oil. As I have already said, those leases were advertised in the usual way. They were sold at public auction. Every safeguard was thrown about them to protect the Indians. The Senator from North Dakota leveled a criticism against the action of the department because, said he, the leases were sold at a time when the oil industry was in a depressed condition. It is my memory that up until that time the oil industry had gone forward without any setback due to a depression. The action taken may have been a mistake of judgment, but I do not think that it can be inferred or should be implied that Governor Hagerman was guilty of any improper conduct.

Mr. President, on yesterday, the Senator from North Dakota referred to the fact that the action of the New Mexico State Senate in passing a resolution expressing its approval of Governor Hagerman's services, and repudiating the criticism leveled against him, indicated that Governor Hagerman was a political fixer more than the Senator from North Dakota had thought before. On behalf of the State of New Mexico, for whom the State senate speaks, at least in part, I repudiate any intimation that the senate was actuated by other than proper motives in passing that resolution. Likewise do I repudiate the intimation made upon the floor this morning that because the Senate of the State of New Mexico took some action yesterday, it was actuated or prompted by any improper motive. I think the Senator from North Dakota owes it to the senate of a sovereign State to refrain from making any such implication. On behalf of the State, for which I speak in part, I denounce any such inference or imputation, if that be the inference or imputation intended by the Senator from North Dakota. I would not impute any such motive to the State senate of his State, nor to that of any other State.

Mr. President, I think I have said all I desire to say on this subject.

Mr. FRAZIER. Mr. President—

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from New Mexico yield to the Senator from North Dakota?

Mr. BRATTON. I yield.

Mr. FRAZIER. Yesterday I called attention to the fact that in the year 1929 the Senate of New Mexico had passed a resolution asking Congress not to allow any more public domain to be allotted to the Indians.

Mr. BRATTON. Yes.

Mr. FRAZIER. During the same year the senate passed a resolution condemning an article which appeared in the magazine *Good Housekeeping*, written by Vera Connelly, on the Indian situation, on the ground, I suppose, that it indulged in criticism of the State of New Mexico. Many of the Senators here are familiar with the writings of Miss Connelly in *Good Housekeeping*.

Mr. BRATTON. Yes, Mr. President, I am familiar with the article appearing in *Good Housekeeping*. No doubt injustices have been visited upon the Indians of New Mexico. I do not minimize them in the slightest degree. No doubt conditions should be improved and Indian affairs should be administered in a better way in New Mexico, as well as elsewhere; but the picture drawn by Miss Connelly was overstated and exaggerated so far as my State was concerned. Of that I have no doubt whatever.

The Senator has just referred to a resolution passed by the State Senate of New Mexico regarding allotments of lands to Indians. The senate did pass such a resolution. There are two sides to that question. Instead of encouraging Indians to leave the reservations and go upon the public domain, go among the white settlers, and there take allotments indiscriminately, it may be best for the Indians to use their money in improving conditions on their

reservations, providing a better grade of livestock, affording better watering facilities, and other things which will promote happiness and prosperity among Indians on their reservations. That is a two-sided question. The fact that the State Senate of New Mexico expressed itself in opposition to encouraging Indians to leave their reservations in large numbers and obtain allotments of land from the public domain does not indicate by any means that they assumed an unfriendly attitude toward the Indians. There are arguments on both sides to that question, and I think the Senator from North Dakota must realize it.

Mr. CUTTING. Mr. President, will my colleague yield?

Mr. BRATTON. I yield with pleasure.

Mr. CUTTING. I hope my colleague will allow me to say that I agree with him fully in the statement he has just made.

Mr. BRATTON. That assurance is appreciated. The Senator from North Dakota must realize that encouraging Indians to leave their reservations, go among the white population, and there engage in industrial life may not be for the best interest of the Indians. I myself think that probably every dime of their income should be devoted to improving conditions on their reservations, giving them better schools, giving them better livestock, giving them better watering facilities, teaching them improved methods of earning a better livelihood on their reservations. So, I repudiate the intimation of the Senator from North Dakota that because the State senate so expressed itself two years ago, it manifested an attitude unworthy of the State senate.

Mr. President, I am astonished at the attitude of the Senator from North Dakota.

Mr. GILLET. Mr. President, I ask unanimous consent to have printed in the *RECORD* an article by Oliver La Farge on the Indian question.

I will say in that connection that I dislike to put in an article which answers a speech of a fellow Senator for whom I have a high regard; but I think the wide knowledge of Indian affairs and unselfish friendliness of Mr. La Farge entitles him to a hearing.

Mr. FRAZIER. Mr. President, regarding the article by Mr. La Farge which the Senator from Massachusetts asks permission to put in the *RECORD* I desire to say that Mr. La Farge was called before the subcommittee of the Committee on Indian Affairs in regard to the Hagerman case, and practically admitted there that he knew nothing about the statements that he made.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts?

There being no objection, the article was ordered to be printed in the *RECORD*, as follows:

A GROSS INJUSTICE—ATTEMPT OF A UNITED STATES SENATOR TO GET RID OF AN HONEST AND USEFUL OFFICIAL

To the EDITOR OF THE NEW YORK TIMES:

I want to call attention to a disgraceful attempt in the United States Senate to get rid of an honest official at a time when public interest is diverted to other matters.

On January 21, in the course of a general assault on the Indian Bureau, Senator FRAZIER offered the following amendment to the Department of the Interior appropriation bill:

"Provided, That no part of the moneys appropriated for this act shall be used in payment of the salary or expenses of Herbert J. Hagerman, designated as special commissioner to negotiate with Indians, Santa Fe, N. Mex."

Senator FRAZIER made the following statements:

1. That there is an appropriation for Mr. Hagerman "as sort of general superintendent for a tribe in New Mexico and Arizona. There is a superintendent there who has the same duties to perform, and for that district. It is a duplication."

2. That Mr. Hagerman was removed from the office of Territorial Governor of New Mexico by President Roosevelt "as soon as Roosevelt came into office."

3. That Mr. Hagerman was appointed as special commissioner to negotiate with the Indians concerning oil leases by the then Secretary of the Interior, A. L. Fall.

4. That Mr. Hagerman sold the lease of the "Snake oil lands" for \$1,000, and that within a year the same lease was resold for \$1,000,000.

5. That he (Senator FRAZIER) does not believe "that such a man should be carried on the Government pay roll at all. In plain language he is, in my estimation, a political fixer for the Indian Bureau in those two States."

6. "There was organized a tribal council among the Navajos for the bureau. Assistant Commissioner Scattergood made the state-



ment that the council functions admirably, because there is no dissension among the Indians."

7. "Hagerman tried to organize some kind of a council among the Northern Pueblos and failed to do so."

Rarely has such a collection of misstatements and false inference been assembled in one short speech.

I should like to take up Senator FRAZIER's statements in order:

1. It is not true that Mr. Hagerman "is a sort of superintendent for a tribe in New Mexico and Arizona," nor is it true that "there is a superintendent there who has the same duties to perform, and for that district." The Senator evidently did not trouble to learn the terms of Mr. Hagerman's appointment or to inquire into his duties. His responsibilities cover some 75,000 Indians on more than 20 reservations in the States of New Mexico, Colorado, Utah, and Arizona. He is coordinating officer for the countless ramifications of the Indian Service within that large district.

A list of his duties would cover several typewritten pages. In connection with the Pueblo Lands Board he has helped pass upon 5,532 claims, correcting the wrongs which the notorious Bursum bill was intended to perpetuate.

2. It is not true that Mr. Hagerman was removed from office "as soon as Roosevelt came into office." He was appointed by President Roosevelt and resigned a year and a half later. His honorable record as governor is well known to all in New Mexico.

3. Although Mr. Hagerman was appointed first by Secretary Fall, the inference that he was one of that corrupt crowd is false. Senator FRAZIER passed over the fact that he was appointed in 1923, after the scandals of the Bursum bill and Teapot Dome had been aired, at a time when Fall felt the need of a few honest gestures. Mr. Hagerman had held a number of appointive offices, both State and national, and had been for five years president of the New Mexico Taxpayers' Association, in which nonpolitical office he has been continued unbrokenly. His appointment as special commissioner was a reform measure.

4. Mr. Hagerman did not merely sell the Rattlesnake oil lease (referred to by Senator FRAZIER as "the snake oil lands") for a thousand dollars. In compliance with the law and authorized by the Navajo Indians, he sold six leases at public auction after wide advertising, from which the Indians received \$87,600 on what was practically wildcat territory. The geologist's statements on the Rattlesnake structure were so discouraging that it was difficult to get any bid on it at all. Only two of these, of which the Rattlesnake is one, have produced any oil; from these the Indians have received to date \$930,420.38, and the income is continuing.

5. The Senator's personal attack on Mr. Hagerman is best answered after the other points have been taken up.

6. This is a slighting reference to one of Mr. Hagerman's finest pieces of work, the creation for the Navajo Tribes, numbering over 40,000 and previously disorganized and divided into six jurisdictions, of a true representative body elected by the tribe, holding a public annual meeting at which to consult with the Government and make known their needs and grievances. Through this council 40,000 of the most promising Indians in the United States are learning to govern themselves and handle their own affairs. Acting at a time of great corruption, Mr. Hagerman dared to set up an organization which guarantees for all times that no deal can be put over upon the Navajo Tribe without a thorough and public airing. The meetings are attended by representatives of the Indian Rights Association, Eastern Association on Indian Affairs, and other such organizations. The Indians speak their minds freely, all their affairs are aired, and they are learning self-government.

7. This statement, that "Mr. Hagerman tried to organize some kind of a council among the Northern Pueblos and failed to do so," was taken up and repeated in substance by Senator KING, of Utah, who offered an amendment canceling the \$300 appropriated for the United States Pueblo Council. In actual fact, Mr. Hagerman, on instructions from Secretary Work, successfully formed a council of all the New Mexico Pueblos, which met three times to consider matters touching the Pueblos as a whole.

Anyone familiar with conditions in the Southwest knows that Mr. Hagerman has been a tower of strength to those who are working to help the Indians. His reports on conditions wherever abuses or neglect occurred have been fearless and penetrating. Thanks to his efforts and the support received from Commissioner Rhoads in Washington, conditions in the Southwest are better to-day than they have ever been in the history of the Indian Bureau.

To call such a man a "political fixer" and say that he "should not be carried on the Government pay roll at all" is not only false, it is ridiculous. Mr. Hagerman is the type of honest and fearless public official of which this country should be proud.

The Navajo Indians have had long and unhappy experiences of the vagaries of our Congress. They are no fools. They have always feared lest Mr. Hagerman might be taken from them because of his very honesty, and, anticipating some such action as Senator FRAZIER's, have repeatedly asked, both in council and as individuals, that he be retained. The esteem in which he is held by those most familiar with his work, both white men and red men, is shown by the instantaneous protest against the Senator's action by the Indians of Arizona, transmitted through Congressman DOUGLAS, of that State, and by the unanimous vote of protest of the New Mexico State Senate.

The attempt to deprive this Nation of the services of such a man as Mr. Hagerman shows either gross ignorance or maliciousness.

OLIVER LA FARGE,

Director Eastern Association on Indian Affairs.

New York, January 27, 1931.

Mr. BARKLEY obtained the floor.

Mr. FRAZIER. Mr. President, will the Senator from Kentucky yield to me to insert an article in the RECORD?

Mr. BARKLEY. I yield.

Mr. FRAZIER. Mr. President, I ask unanimous consent to insert in the RECORD an article by Nathan R. Margold, legal adviser on Indian affairs to the Institute for Government Research, appearing in the Nation of February 4, on the particular question of the Indians in New Mexico.

THE PRESIDING OFFICER. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### THE PLIGHT OF THE PUEBLOS

By Nathan R. Margold

The sad plight of the Pueblo Indians in New Mexico and their eleventh-hour resort to litigation to avert the imminent disaster with which they are threatened should enlist the sympathy and active cooperation of all fair-minded Americans. These Pueblo tribes, 20 in number, represent the most ancient of our Indian cultures. For several thousands of years they have been irrigation farmers, peacefully cultivating the land on whose last remnants they still subsist. Deeply religious, glorious artists in dance, song, pottery, and pure design, they have developed and maintained a unique civilization richly worth preserving for its own sake. They have always been friendly to the white race; it was they, in fact, who enabled the whites to establish themselves among the wild nomads of the Southwest. They have been repaid for that friendship with impoverishment, disease, and incalculable suffering. Forced now into a desperate legal battle to secure the means for continued existence, they have a just claim to active assistance from every enlightened American.

The various Pueblo tribes are distinct legal entities, each Pueblo holding title in communal fee simple to the land cultivated by its members. The titles were recognized and confirmed initially by grants from the Spanish Crown antedating 1700, and subsequently by act of Congress and patents issued pursuant thereto. Like other tribal Indians in this country, they are wards of the United States Government, theoretically entitled to protection and actually disabled in large measure from protecting themselves as a result of the imposition of this guardianship. As population increased in New Mexico, numerous Mexicans and pioneer Americans without the slightest right or color of title helped themselves to various portions of the Pueblo lands. The guardian Government did nothing to remove the encroachers, and the helpless Indian wards struggled along as best they could on what land was left to them.

The failure of the Government promptly to dispossess the encroachers led eventually to a twofold result. One was the gradual impoverishment of the Indians and the crumbling of their civilization. The other was the intrenchment of the trespassers and the constantly increasing injustice of putting them off land on which they had become established with tacit Government approval. Normally an owner can not permit another to occupy his land for a period of years under a claim of ownership without losing his title altogether. But the general statutes of limitation, specifying the requirements for obtaining title by long-continued adverse possession, do not apply to Government-owned land nor to Indian-owned land under the guardianship of the United States. This prevented the squatters on Pueblo lands from acquiring any legal right or title to the land which they occupied; but it could not and did not prevent them from coming in time to regard themselves and to be regarded as the true owners.

In 1919 Richard H. Hanna, a conscientious United States attorney, commenced an action to eject some of the squatters from land urgently required by the Indians for subsistence. The case was tried in 1921 and was pending decision when Secretary of the Interior Fall and Attorney General Daugherty requested the court, on behalf of the United States as guardian plaintiff, not to render a decision, stating that legislation was being prepared which would destroy the ward's right to win the suit. The proposed legislation, known as the Fall-Bursum bill, provided practically for outright confiscations of large tracts of Indian land. It passed the Senate, but was bitterly fought and finally defeated in the House. The hearings before the House Committee on Indian Affairs contain a revealing picture of the sad state to which the Pueblos had been reduced by the inexcusable failure on the part of the United States Government faithfully to perform its self-assumed duties of guardianship. Extensive quotation is impossible here, but a few telltale excerpts from the testimony of Mr. John Collier, then research agent for the Indian welfare committee of the General Federation of Women's Clubs, are here appended (hearings before House of Representatives Committee on Indian Affairs, 67th Cong., on H. R. 13452 and H. R. 13674, Feb. 1-15, 1923, p. 225):

"If conditions remain as they are without becoming any worse, the majority of the Pueblos must perish. . . ."

"Spokesmen for some of the non-Indian settlers appeared before the Senate committee and made statements tending to show that the Pueblo Indians were very well off. It is a question of fact which can be answered from data readily available. The case of Taos Pueblo is an example. There is appended (Exhibit A) a summary of investigations made by Dr. Richard Shevsky, a scientist of repute of Leland Stanford University, California, in the fall of 1922. Doctor Shevsky personally interviewed each of the 126



families representing the 543 people who are reported on. (The total population is about 635.)

"Doctor Shevsky's conclusion was that the per capita income of Taos for 1922 was about \$30, and the estimated income in a good year is about \$36. \* \* \*

"Taos is admittedly the most prosperous Pueblo north of Santa Fe, and of its approximately 5,000 irrigable acres it has retained about 1,500, or about 2½ acres per person. Part of these 1,500 acres, however, is water-logged and available only for the grazing commons.

"With regard to the Pueblos south of Taos there is attached (Exhibit B) a summary which was prepared in November, 1922, based on statistics of income from all sources in the Pueblos of San Juan, Tesuque, San Ildefonso, Nambe, and Santa Clara.

"A summary here appended is based on data which were collected by the Government farmer for these Pueblos. These data have been checked up by Doctor Shevsky, who made the original study of Taos, and he believes that the incomes stated in the report of Mr. Hubbard (the farmer) are rather in excess of the actual incomes."

(The summary referred to showed the following average annual per capita incomes: San Juan, \$31.01; Tesuque, \$16.68; San Ildefonso, \$13.11; Nambe, \$46.02; Santa Clara, \$32.50.)

The committee may find it hard to believe that self-respecting human beings not the recipients of charity can live on incomes so small as are shown by these exhibits. As a matter of fact, the Pueblos are not living, but in the case of the Pueblos near Santa Fe are slowly dying on these small incomes. \* \* \*

After a 2-year struggle Congress worked out and enacted a compromise measure designed fully to protect the Indians and probably to vest many of the white settlers with legal title to their holdings as well. This was the act of June 7, 1924. It created the Pueblo Lands Board, consisting of the Secretary of the Interior, the Attorney General, and a member to be appointed by the President of the United States. It set up a certain standard for discriminating between valid and invalid adverse claims to land originally owned by the Pueblos, and required the board to investigate and report which claims fell within the standard and which did not. It also provided, in effect, for the issuance of patents by the United States to the adverse claimants found entitled thereto, for the payment of compensation by the United States to the Pueblos for the loss of this land, and for the institution of suits by the United States as guardian for the Indians to recover all the tracts in the possession of adverse claimants found not entitled thereto by the board. In addition, the act provided that nothing contained in it should impair or destroy the right of the Pueblos before the lapse roughly of about two years after the filing of the board's report, "to assert and maintain unaffected by the provisions of this act their title and right to any land \* \* \* in any court of competent jurisdiction."

Under the latter provision the Pueblos could at once have gone into court and ousted every settler from their land. It was hoped, however, that they would delay action until they knew what land was returnable to them under the board's findings and what compensation was allowed for the balance, and that, finding themselves adequately provided for, they would voluntarily permit the 2-year period to expire without taking any independent action at all against the settlers.

The Pueblos fully lived up to the expectations of Congress. They brought no independent suits and trusted to the board to deal fairly with them. The board made its investigations and began to file its reports. In the matter of compensation its awards have been shockingly meager. For many thousands of acres to which the Indian title was held extinguished, no compensation whatsoever was allowed. At the Pueblo of San Juan, of 3,000 acres lost to the Indians, only 1,000 have been made the subject of any award at all.

The sums so far awarded on the average have not amounted to more than one-third of the present value of the land, less improvements. In deciding between valid and invalid adverse claims, however, the board has been quite faithful to the provisions of the act. Its findings, if eventually sustained by the courts, would give back enough land to most of the Pueblos to enable them at least to continue a modest existence. In view of this, the Pueblos contented themselves with attempting to obtain judicial review and enlargement of the compensation awards and made no effort to regain possession of any land to which adverse claims were sustained by the board.

In obedience to the provisions of the act the Attorney General, on behalf of the Pueblos of Taos, brought suit in the United States district court in New Mexico to oust the settlers whose claims to title the board had found invalid. The district court differed with the board and adopted a construction of the act under which most of the invalid claims became or could easily be made valid. The difference related to the method of satisfying the requirement for the payment of taxes by the adverse claimant during the period of his possession. Under the act the claimant was required in effect to show that he had continuously paid all the taxes levied on the land during the period of his occupation. The board interpreted this as a requirement of regularity and continuity in the payment of the taxes to evidence the good faith of the settler's claim of ownership and disallowed all claims where taxes were not so paid. The district court, on the other hand, held that the payment of back taxes in a lump sum after the enactment of the statute, and, indeed, after the filing of the board's report, was sufficient to meet the requirements of the statute and to entitle the claimant to retain the land. On appeal the circuit court of appeals affirmed the district court.

The Government attorneys in charge of the case recommended that an application be made to the Supreme Court of the United States to review the case by certiorari. The papers were prepared, but five days before the expiration of the period allowed for such an application the Attorney General and the Solicitor General summarily directed their subordinates not to file the papers.

This was a bitter blow to the Indians, who are accustomed to defeat in the lower courts and final victory in the Supreme Court of the United States. But still they did not assert the full measure of their legal rights by means of independent suits. The Pueblo of Taos immediately pressed an independent suit previously instituted but deliberately framed so that only the tax question would be raised. The Indians being in control of this case, they intended by means of it eventually to obtain a decision from the Supreme Court on the merits of the tax question.

The Attorney General and Solicitor General, having already decided not to place this question before the Supreme Court, decided further to have all the other cases disposed of as quickly as possible and proceeded to put this decision into immediate effect. It was a foregone conclusion that every one of these cases would be lost on the tax issue and would ripen into a judgment adverse to the Indians, and that unless these judgments could be delayed, or the right to appeal therefrom saved, pending the final outcome in the Taos independent suit, the Indians would be stripped irrevocably of their land under the tax ruling of the lower courts before the Supreme Court had an opportunity to pass on the validity of that ruling. If the Supreme Court later held the ruling erroneous, its decision would affect only the comparatively insignificant amount of land directly involved in the Taos independent suit. It would be entirely ineffective with regard to the large bulk of Pueblo land awarded to white claimants under the judgments theretofore entered in the various other suits.

Here was a situation certainly where in fairness to the Indians all the pending suits, or appeals therefrom, should have been held in abeyance until the Taos test case had been presented to the Supreme Court. But the Solicitor General, despite urgent appeals made to him on behalf of the Indians, held fast to his original determination to reduce all pending cases to final judgment with utmost dispatch.

The Government suit relating to the Pueblo of Picuris was immediately brought to trial, and of its many thousands of acres in possession of whites the pueblo was allowed to recover only 119 acres. The significance of this will be better appreciated in the light of the following excerpt from the report of the board concerning this pueblo (filed on October 20, 1928):

"The records—such as they are—seem to show that at the time of the Spanish conquest there were several thousand of these Picuris Indians. \* \* \* Numbers of settlers from the Rio Grande moved into the hills and gradually occupied these valleys, since which time the Indians have rapidly decreased in numbers and have been crowded out by the non-Indian settlers until there are only about 116 Picuris Indians left altogether, and this number will dwindle to nothing in a comparatively short time unless something is done to rehabilitate them and much more attention is given them than has been the case during the last 50 years. The Pueblo village itself is a mere remnant of what it once was, and is in a sad state of demoralization. There is little or no sympathy for the Indians among the non-Indian inhabitants of the district. On account of the presence of undesirable non-Indians within or in the immediate vicinity of the Pueblo, many of the Indians are becoming demoralized, many of them are also ill and in actual need of food. On the whole, they are in a very distressing and deplorable condition. There are, however, some excellent men among the younger Indians, through whom a revival of the tribe and reconditioning of the Pueblo might with proper encouragement be brought about."

A decree returning 119 acres to a Pueblo so circumstanced, a Pueblo whose whole life, religion, and culture are all deeply rooted in the land, could serve only to seal the doom prophetically predicted in the board's report. Following Picuris, San Juan, San Ildefonso, Santa Clara, and Cochiti are each being led to judicial slaughter. The Taos independent suit even now has not been passed upon by the circuit court of appeals and can not possibly come before the Supreme Court earlier than next fall. By that time every other pueblo can be stripped of its land through final adverse judgments in the Government suits.

This, coupled with the assurance of pitifully inadequate compensation, has proved to be the benefit in exchange for which the Pueblos are asked to bargain their undoubted legal right through independent suits to sweep every white settler off their land. In such a situation only one course could be taken; and that course was initiated on December 27, 1930, when, immediately before the expiration of the period allowed therefor, an independent suit for Taos was filed. Similar suits will follow for the other Pueblos, each being instituted only just in time to prevent a loss of rights through the running of the 2-year period.

Unfortunately, the Indian Defense Association has exhausted its resources in the long struggle to procure for the Pueblos the limited but essential benefits under the act. The new suits will entail an expense of from \$5,000 to \$10,000 for such items as typewriting, printing, court fees, and service of process on the defendants. Unable to meet this new burden, the association has asked the public for help.

To a fair-minded person familiar with the situation this question permits of but one answer, and that answer should be made



in the form of a check for whatever amount can be spared, which may be sent to Fred M. Stein, treasurer, 270 Madison Avenue, New York City.

Mr. WHEELER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Montana?

Mr. BARKLEY. I yield.

Mr. WHEELER. I would like to suggest the absence of a quorum, if the Senator will yield for that purpose.

Mr. BARKLEY. I do not like to bring Senators here who do not care to be here.

Mr. WHEELER. I think a great many of the Senators thought the Indian question was to be discussed further.

Mr. BARKLEY. I yield to the Senator.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Sheppard
Barkley	Fletcher	La Follette	Shipstead
Bingham	Frazier	McGill	Shortridge
Black	George	McKellar	Smith
Blaine	Gillett	McMaster	Smoot
Blease	Glass	McNary	Steiwer
Borah	Glenn	Morrison	Stephens
Bratton	Goff	Morrow	Swanson
Brock	Goldsborough	Moses	Thomas, Idaho
Brookhart	Gould	Norbeck	Thomas, Okla.
Broussard	Hale	Norris	Townsend
Bulkley	Harris	Nye	Trammell
Capper	Harrison	Oddie	Tydings
Caraway	Hatfield	Partridge	Vandenberg
Carey	Hayden	Patterson	Wagner
Connally	Hebert	Phipps	Walcott
Copeland	Heflin	Pine	Walsh, Mass.
Couzens	Howell	Ransdell	Walsh, Mont.
Cutting	Johnson	Reed	Waterman
Dale	Jones	Robinson, Ark.	Watson
Davis	Kean	Robinson, Ind.	Wheeler
Dill	Kendrick	Schall	

The PRESIDING OFFICER. Eighty-seven Senators having answered to their names a quorum is present.

Mr. BARKLEY. Mr. President, all during this debate I have hesitated to say anything about the conference report because I have doubted whether anything that I could say would make any real contribution to the solution of the problem which is before us or influence a single vote. But inasmuch as I still in part very feebly represent a drought-stricken State, regardless of what may be thought in other quarters, I feel it my duty at least to express my views concerning the situation which confronts us.

I have on many occasions during this session of the Senate expressed the hope and the wish that there might be no extra session of the Seventy-second Congress. In common with most other Members of the Senate and the House, I should like to have a long vacation from work. But while I have wished that, while I have joined with those who would regret the necessity for an extraordinary session, I am not one of those who are afraid of an extra session; I am not one of those who in their effort to discredit the Congress take the position that its presence in Washington will bring some disaster to our country. Two years ago when many of those who are here now proclaiming against an extra session of Congress desired to get their hands in the Public Treasury, they were impatient that Congress might meet in extraordinary session.

A year ago when we were about to meet in the regular session there were many of those who now denounce the Congress and proclaim against an extraordinary session who were impatient that we might assemble here and hand back to them \$160,000,000 out of the Treasury of the United States. Mr. President, I do not recognize any difference in principle between stopping \$160,000,000 just before it gets into the Treasury of the United States and taking \$25,000,000 out just after it gets in. If there is any difference, the difference would be in favor of the \$25,000,000, because it would go to those who need it, and I doubt seriously whether the \$160,000,000 which we took out of the Treasury went to anybody who actually needed it, although I joined in the clamor in its behalf.

But, Mr. President, if we were not operating under the most archaic and antiquated system, the most unresponsive parliamentary system to be found in the world in any civil-

ized nation to-day, the new Congress would already have been in session for six weeks. I was in Germany last summer just about two weeks before they held a special election as a result of the dissolution of the German Reichstag by the President of Germany. On the 15th day of September 34,000,000 German citizens, more than one-half of the population of Germany, went to the polls and elected a new Reichstag to represent them, and within two months after that day of election the new Reichstag was in session in Berlin undertaking to respond to the will of the people. If to-morrow the Labor Government of Mr. Ramsay MacDonald should fall in England, a new election would be called, and within two months after that election the Parliament of the Kingdom of Great Britain would be in session to represent the will of the British people.

I challenge any man on the floor of the Senate or on the floor of the House or in any other governmental branch or in any business office in the United States to point to any civilized nation on earth where the legislative body is so unresponsive and so delinquent in its efforts to respond to the will of the people as that which exists in the United States of America—and all because of a purely accidental incident that fixed the 4th day of March as the beginning of the new term of Members of Congress.

Mr. NORRIS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Nebraska?

Mr. BARKLEY. I yield to the Senator, though I have only a few minutes.

Mr. NORRIS. On the very point the Senator is making—and I hope he will pardon me, because I know his time is limited—I called attention the other day to the vote in the House on this particular amendment that has made all this trouble and showed that if the new Congress had been in session and voted the amendment would have been adopted.

Mr. BARKLEY. Of course. If it had not been for the presence of repudiated Members of the other legislative body who are still on the job four or five months after they have been "fired," the \$25,000,000 provision which the Senate put into the bill would have been adopted in the other body.

When this \$25,000,000 item reached the other body and was referred to the Committee on Appropriations, the Member of that body who declined to hear any witnesses except those who were against the appropriation, who barred the doors of the committee room to everyone representing hungry men and women in the United States, who would not even allow them a voice, was a man who has been repudiated by his own people, and who, but for this antiquated, out-of-date, ridiculous, and indefensible system, would not now be representing any district in the United States Congress.

Mr. President, I wonder if any of those who are denouncing Congress and imploring us to get through at any cost in order that Congress may not be in Washington in extraordinary session to harass somebody have offered any intelligent solution for the great problems which now confront the people of the United States. Many of those who two years ago were demanding an extra session in order that they might warp and twist and bend and fashion the institutions of Government for their own private ends have in the presence of this great calamity been as bankrupt of any intelligence as many of them have made the rest of us in purse. Not any suggestion for a solution of the situation has come from their ranks in relation to the great problems which confront and distress and harass our people.

Mr. President, we have witnessed within the last two or three days the most humiliating spectacle that could be brought about in an intelligent legislative body. Either through our own stupidity or our dishonesty we were unwilling to write into a law which we were framing what we meant. We were forced to resort to the humiliating spectacle of passing a resolution asking a Cabinet member to tell us what we mean by what we do. We have been asked to sign on the dotted line because we desire to adjourn, because we desire for nine months to leave the American people at the mercy of some bureaucrat who has already misinterpreted the laws we have passed for the benefit of the American people.



I am reliably informed that the Cabinet members whose interpretation we asked in advance, whose assistance we asked by resolution in order that we might interpret our own minds, has made the statement that out of the \$45,000,000 which we appropriated, not \$20,000,000 would ever go to the American farmers. Whether he did or did not make the statement I am satisfied that it is true, because he has thrown around the loaning of that fund such brutal, such harsh, such arbitrary restrictions that the average farmer who needs the money will never receive it. He has required that every man who has a claim against the farmer must go into a public place and waive all his rights to collect in order that Uncle Sam may have a first lien, in order that this great and generous and rich Government may get in on the ground floor in preference to every other creditor who may have advanced money to the individual farmer. Not only must he give a mortgage upon the crops which he produces with the money which he borrows from the United States, but he must give a first mortgage upon all crops grown upon his farm, regardless of the source of the money which he obtains with which to produce them.

O Mr. President, I wish that William Shakespeare might come back to life and write another Merchant of Venice. If he did so he would change the name of "Shylock" to "Uncle Sam." The only difference would be, I fear, that now there is no Portia to save the victims of the Government's selfish and arrogant policy.

Mr. President, I am unwilling to recognize by my vote or by my voice the fallacy that the United States Government owes more to those who have property than it owes to those who have nothing. I am not willing by my vote or by my voice to give approval to the selfish, narrow, bigoted, and arrogant theory that the great Government of the United States owes a greater obligation to a man who has security than it owes to a man who has no security. That is the question that confronts us here to-day.

When the great World War came, and when we entered it in 1917, we passed a law reaching the strong arm of the Government into every home and taking from that home the best that was there in manhood. Did we exclude those who had no security? Did we say to the poor boy or to the poor farmer who had nothing, who was a tenant, who was a renter, who lived by the labor of his hands, who could not make a bankable note, "You are excused from your obligation to the United States"? Did we say to them, "You need not fight"? We made no such exemption as that. And yet, now, when we are in the midst of a great disaster that has brought hunger and want and poverty and distress to millions of our people, we are asked to say that the United States of America owes some obligation to those who have property and who can pledge it in order that our Nation may first recover from its wounds, but those who are so unfortunate as not to have property, those who have been for years and generations the victims of others who have used the power of taxation for their own enrichment and for the impoverishment of millions of our fellow citizens, are to be unrecognized by this great, generous, rich Government which is four times as rich as any government in the world.

I have great respect for the Red Cross; I do not desire to utter any sentiment here which would in any way reflect upon it; I do not know what is transpiring in Arkansas; but in the State which I have the honor in part to represent the efforts of the Red Cross have not been adequate and they are not adequate now.

What has the President of the United States done in real relief or in effective work to cope with conditions? As early as last August the attention of the administration was brought to the dire conditions that existed in the country. Drought-relief committees were set up in all of the 21 drought-stricken States. They came here and made their recommendations, but very few of them have been carried out by the administration. The whole course of our Government has been actuated and motivated by a lack of frankness with the people of the United States. The people have not been told the truth, and every Member of the Senate of the United States knows they have not been told the truth, about the real conditions in the country. A studied effort has

been made in every quarter to deceive the people about this condition. Responsible administrators have sought to blind themselves to unpleasant facts by denying them.

We are about to adjourn for nine months and go to our respective homes, it is said, with 6,000,000 American workmen out of employment and walking the streets, with the local authorities having already exhausted their resources of relief, and with the farmers of our country unable to borrow money even under the law we have already passed. We are to go to our respective homes for nine months without even placing a fund of \$25,000,000, or any other sum, at the disposal of the United States Government for disbursement, through the President or any other officer, to meet the emergency that now exists and may increase during that nine months of our vacation.

Mr. President, it may be that an extra session of Congress called soon after the 4th of March may scare some timid financiers for a few days, but if the conditions grow worse, as they may grow worse by midsummer, and the President of the United States is compelled to call us back here to meet that emergency, then it will be infinitely more injurious to business than it would be for us now, while we are here, to make some provision to take care of any possible situation that may arise during the absence of the legislative branch of the Government.

The President sent his agent to Arkansas a few days ago. I do not know how he traveled, whether by airplane or by steam transportation, but when he was there about two days he announced that there was no hunger and no want in the great State of Arkansas. I hold in my hand a dispatch from the city of Memphis, from Dr. Hugh S. Cumming, Surgeon General of the Public Health Service of the United States, who was in Memphis in conference with other health officers in the drought-stricken area, and he said that he found from his visit that in one county of Arkansas, the county of St. Francis, I believe, he found 23,000 people in that one county who were in need of succor and were being fed and clothed by public charity, and that the conditions would grow worse instead of better as the months go by. I am willing to accept the word of Doctor Cumming in preference to that of some agent who has gone into one State for a day or two in order to make out a case for the administration. There are 21 drought-stricken States in this Union. Why did not the President send his agent to my State, which is in worse condition than is Arkansas, though we have not made as much noise about it. The people of Kentucky are entitled to as much consideration as the people of any other State, but their situation can not be learned from an airplane or a sleeping car.

O Mr. President, we are told that somebody's face must be saved. Well, I am not interested in anybody's face. I have served in the House of Representatives; I have served in the United States Senate; I have seen most of the political faces around the White House, and I am prepared to say that all the political faces in Washington are not worth saving compared to the pallid face of a single hungry woman or child in Arkansas, Texas, West Virginia, or Kentucky. Saving somebody's face!

O Mr. President, we are in the habit of boasting here that the Senate is the greatest deliberative body in the world. That sounds well for us to boast of it, but I doubt if the boast can be sustained by any action that we have taken here in connection with the subject of drought relief. We have gone forth as the lion and put amendments on House bills and then we have crawled back like the lamb, every time yielding because we did not have the courage of our convictions, because we were too craven to stand up here and assert until the end of the row that this Senate is a part of the Government of the United States. All through this controversy there has been in existence a deliberate and designed effort to discredit this body. Not only have certain branches of our Government been used to that end but a great charitable institution in the United States has been used for the purpose of undertaking to discredit the Senate of the United States.

The other day we on this side came out from a conference—the only one we have held in two years—and boldly



announced what our program was. After that action I felt prouder. I felt that, after all, we had agreed on something in the interest of the American people and that we had the courage to stand by it; but it now turns out that we are like the master's dog who rushes to the front gate, rears up on it and barks, and then when some opposition comes in his direction tucks his tail and goes under the house. We are still barking in the Senate, Mr. President, but we are under the house.

What has happened to the \$45,000,000 appropriation provided by Congress? On day before yesterday I had a telegram from one of the county judges in my State that the agent who under that measure had been designated by the Department of Agriculture to take applications for loans from the distressed farmers was charging each one of them \$5 apiece for filling out the blanks that would entitle them to get loans. I protested to the Department of Agriculture, and they promised to look into it, and they are still looking, so far as I have heard.

On yesterday I received a telegram, Mr. President, signed by a number of farmers in Ballard County, in the old congressional district which I represented in the other branch of Congress for 14 years. I should like to read it. It is as follows:

WICKLIFFE, KY., February 12, 1931.

HON. ALBEN W. BARKLEY,  
Washington, D. C.:

From present indications it appears that at least 1,000 farmers of Ballard County will seek Government aid in the way of loans with which to grow a crop during the present year. There is much complaint on the cost of the loan in the way of interest and commissions that one is required to pay in order to secure this aid from the Government. The interest charges on a \$50 loan amounts to 21 per cent; for a \$100 loan it is equal to 12.8 per cent. This extortionate charge will help to relieve the already bankrupt farmer of the little that remains and put a heavy burden on what he expects to receive in the future. In order to pay its outstanding obligations and take care of its current needs Ballard County was forced to dispense with the services of its county agricultural agent and home demonstrator. However, the county agent now appears from outside the county and is permitted to receive \$5 from each applicant for a loan for the performance of clerical labor that our county court clerk would gladly perform for one-fifth of the sum that is given to the county agent. We think this charge unjust and unfair, and many of our farmers are resenting this unwilling tribute laid upon their already overburdened shoulders. If you could use your influence to help remedy the present situation in this regard, it will be greatly appreciated by a large majority of the farmers of this county.

Very truly,

M. H. KANE,  
J. R. HARKLESS,  
JAS. W. LEE,  
B. F. BILLINGTON,  
J. H. COOK,  
WALTER TANNER,  
Ballard County Farmers.

Mr. President, I regret that I have no more time. After nearly everyone else in the Senate has taken up days, we suddenly reached the point where a limitation of debate was in order, and I am unable to complete the remarks which I desired to make; but I will conclude by saying that I do not propose to vote for a policy which denies to hungry and destitute Americans the equal protection of our Government. I do not propose to set up distinctions between the distressed people of my country. I voted to feed Russians by giving them \$20,000,000 in food and clothing. I voted to send \$100,000,000 to naked and starving people in the countries of Europe. I am not willing to do less for the people of my own country.

#### WHY THE SENATE YIELDED

Mr. THOMAS of Oklahoma. Mr. President, I shall take but a few minutes.

On yesterday I entered a motion to refer this conference report back to the Senate conferees with instructions to insist on Senate amendment numbered 64. Amendment numbered 64 struck from the bill the sum of \$51,000 which was by the bill proposed to be taken from the trust funds of the Kiowa, Comanche, and Apache Indians to be used for purposes contrary to the express provisions of the law creating such fund.

On every former occasion the Senate has sustained the position which I stood for on yesterday. I am assured now by numerous Senators that if this were a straight, unencum-

bered issue, they would stand by that position upon this occasion. In order to simplify the issue I am now making this statement.

I feel that all has been accomplished that can be accomplished by taking time upon the floor at this time. I do not wish to force the friends of the Indians to vote upon an issue under the parliamentary status here now impossible and which might be misconstrued throughout the country.

Some might wonder why we have been forced to yield. The question might be raised, Is the Senate right? If it is right, why has not the Senate's position been sustained?

Let me explain why we have not secured favorable consideration of a just amendment.

Through seniority, facts respecting Indian appropriations are in the hands of Senators who have not the information with which to combat the position taken by the Indian Office and the chairman of the House Subcommittee on Appropriations. In a sense, this is a compliment to the House. If it be a compliment to the House, it must be an apology for the Senate of the United States.

Mr. President, an army with the finest specimens of soldiers, with the most accomplished generals, but without fieldpieces, supplies, and ammunition, can not put up much of a fight. A comparable army, if only inadequately supplied and equipped with guns and ammunition, could put the other army to flight with little effort. "Big Berthas," Mr. President, if without ammunition, could not stand out against even bean shooters in the hands of an inferior enemy.

My short experience here convinces me that three attributes are essential to success in this body:

First. One must know the procedure.

Second. One must have information and facts.

Third. One must know how to use the facts and be able to adjust himself to any occasion that may arise.

Knowing somewhat of the procedure here, and realizing the impossible barriers which confront me in urging the pending motion, I think it the part of wisdom, if not of valor, to withdraw the motion. I do this conscious that by so doing I am seemingly agreeing to the robbery by Congress of 4,000 citizens of my State, but I am convinced that any further insistence and fight would not prevent this unjustified, unjustifiable, and unconscionable perversion of simple justice.

Mr. President, by and through this legislation Congress, the Government, the guardian, is forcing its wards to appeal to the courts to protect them and their property rights under the laws enacted by Congress and enforced by the executive department of the Government. The courts of our country have always been fair and just and sympathetic toward our Indian wards. Withdrawing from the hope that the Congress may afford relief and before we despair, we now look to another branch of our Federal Government for even academic justice.

For the reasons stated I withdraw the motion.

The PRESIDING OFFICER. The motion to recommit is withdrawn.

Mr. SHIPSTEAD. Mr. President, I desire to express to the Senator from Oklahoma my personal gratification on the battle he has fought on behalf of the Indians. He has fought it against great odds, and I do not want him to leave this fight without knowing that he has the gratitude of the people of my State.

Mr. WALSH of Massachusetts. Mr. President, I shall vote for the conference report, though I do not approve of the theory or policy behind the relief to be extended, nor do I consider the relief provisions agreed to adequate.

I shall vote for this so-called compromise solely because the attitude of the administration and the other branch of Congress makes impossible a more liberal plan. I consider most unfortunate the opposition to the original plan adopted by the Senate for a direct, immediate, and generous contribution from the Federal Treasury for the amelioration of the sad plight of Americans, particularly women and children, who are being deprived of many of the necessities of life and are silently suffering because of the devastation wrought by last year's drought and the economic depression that has resulted in widespread unemployment.



To be denied the whole-hearted sympathy, understanding, and sustenance which those in distress had reason to expect from the Federal Government will not hearten our people, promote patient endurance, or tend to stimulate confidence in the Government. From the beginning of this economic catastrophe the Government has failed to appreciate its unusual character and huge proportions, and has assumed a hesitant and niggardly policy.

Even this miserable compromise has been reluctantly consented to by those who are at present in control of the Treasury. It has taken weeks of long and protracted discussion, debates, and threats to get a few million dollars appropriated for the homeless and hungry, while in a few seconds we appropriate hundreds of millions of dollars for battleships and monumental buildings. Surely there must be a limit to the patience of our people when measures that affect their social welfare are so subordinated and minimized.

I repeat I am not satisfied with this proposal. I assume those who have accepted the so-called compromise are not satisfied. I assume they are accepting it because it is the full extent of relief they can obtain at this time, in view of the opposition of the administration.

To my mind the provisions of this compromise are analogous to crumbs falling from the tables of the rich. The poor must take the crumbs or suffer further privation. Under the terms here exacted, however, they must furnish security before the crumbs are distributed to them, and they must be prepared to pay back the price of the crumbs to the Federal Treasury at an early date. If this is Federal relief in a great emergency, God save the mark!

Mr. COUZENS. Mr. President, in view of what the Senator from Massachusetts [Mr. WALSH] has just said with respect to the loan which the Government grants, it is appropriate to point out some of the conditions imposed by the Federal Government to enable the farmers to get relief.

In the first place, I desire to point out some of the features in the application blank which the Government requires the borrower to fill out, which, in my judgment, could not have been imposed any more rigidly in Russia by the Soviet Government than they are being imposed by our own Government.

I desire to point out the difference between the Government's treatment of a poor borrower and its treatment of a rich taxpayer.

For years the Senate have approved of income-tax returns being public property. They did not approve of publishing them in the press, but they approved of income-tax returns being available, but the plan was opposed by the other House so as to protect the income-tax payer from exposing any of his financial condition. When, however, the Government comes to deal with the poor farmer or the man who needs to borrow under such circumstances as these every sort of publicity is given to his poor condition.

For instance, in making application and receiving this money the borrower not only certifies to a lot of things which I will not attempt to take up the time of the Senate to discuss but he says:

I hereby certify that I do not have seed to sow or plant the acreage specified in this application, fertilizer to apply to the crops, feed for work stock and/or fuel and oil for tractors, and because of encumbrances on my real estate and personal property and lack of funds I am unable to procure the aforementioned seed, fertilizer, feed, and/or fuel and oil, and the failure to receive this loan will prevent me from farming in 1931. I also certify that I have the necessary power and equipment to prepare the land and sow and harvest the crop or crops herein described. I further certify that I am familiar with all of the conditions of this application, and that the answers given are true to the best of my knowledge and belief.

Then, over on the reverse side of this application there is a form prescribed for a community committee's certificate. In other words, after disclosing all of his abject conditions, the borrower must submit it to his neighbors, formed as a committee, to certify that he is poverty stricken; and, then, after that has been submitted to and signed by at least two members of a community committee, his condition must be presented to a county committee. Not only must the man's neighbors know all about his condition, but it then must be spread out to the county, and there is room for three mem-

bers of a county committee to sign that they know and approve of the application because they know of his abject condition, and therefore they certify that he is entitled to a loan.

Then, further, in the copy of the rules and regulations issued by the Department of Agriculture December 30, 1930, it is pointed out that the total loans to the tenants of one landlord in any county shall not exceed \$600. No matter how much land the landlord may own or how many tenants he may have, the aggregate that all of the tenants on the farm may get is \$600.

Then, further down in the rules and regulations, under the sixteenth paragraph, is this question:

What rate of interest is charged on the loans? Interest at the rate of 5 per cent will be charged on all loans. As all notes are due November 30, 1931, interest from the date of approval of the loan to November 30 will be deducted from the principal of the loan when the advance is made.

In other words, the borrower must pay the interest almost a year in advance. It is taken out of the principal. That policy is practiced in some commercial undertakings, but I submit it is rather a Shylock practice, and it is more so, it seems to me, when we are dealing with our own citizens, who are admittedly in distressed condition.

There is another thing which reminds me that Russia probably could not exact any greater condition than we are exacting under these loans, and that is in the application the farmer says when he signs the application:

I further agree to use seed, fertilizer—

Listen to this—

and methods of farming as are approved by the Department of Agriculture.

Just think of it! The farmer can not use his own methods of agriculture. No matter what he may think about the best method, he must follow the plans of agriculture devised and laid down by a bureaucracy in Washington.

All those things are enough to discourage any farmer who has energy and self-respect enough to decline the Government loan, but there would be abject poverty and inability to get along otherwise.

That is not the only reason why I am going to vote against the conference report. There are other reasons. One reason is the condition of the Indian legislation, and another is the fact that the Senate conferees, as usual, have abjectly surrendered to the House conferees.

When the Committee on Appropriations submitted the Interior Department appropriation bill, through its chairman, the Senator from Utah [Mr. SMOOT], it stated on page 4 of the report that the committee had put in \$248,194 to provide promotions in underpaid grades. Not only have the underpaid Government employees been cheated and fooled by Congress for a number of years but that has been going on for eight years. They are going to continue to do it. Herein is a queer situation. In this case the President says, I am informed, that he approves of this appropriation, the Budget has approved it, the Senate has approved it, and yet in conference, in spite of all these agencies approving this appropriation, the House stands adamant and refuses to accede to these amendments put in by the Senate.

If this conference report is accepted, it means the establishment of a precedent for handling every other appropriation bill that is yet to come from conference. If we surrender this appropriation for the payment of the underpaid Government employees in this bill, it will establish a precedent for surrendering on every other appropriation bill which is still to pass through conference.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. COUZENS. I yield.

Mr. COPELAND. As a matter of fact, have we not surrendered on all the other bills?

Mr. COUZENS. The other bills have not been acted on by the conference committees in all cases, and I do not know which ones have been acted on, because they have not been presented to the Senate.

Mr. COPELAND. I think that has been our policy. I think in every instance we have surrendered.



Mr. COUZENS. I assume it will be the case, of course.

Mr. COPELAND. I am very much in sympathy with what the Senator has said.

Mr. LA FOLLETTE. Mr. President, will the Senator from Michigan yield?

Mr. COUZENS. I yield.

Mr. LA FOLLETTE. The only conference report containing a surrender on the part of the Senate was the Treasury and Post Office appropriation bill, the conference report on which was rejected by an overwhelming vote.

Mr. COUZENS. By a vote of nearly 2 to 1 we rejected that conference report, for the very reason that this item had been surrendered by the Senate conferees. Now we are asked to approve this conference report, with this item surrendered by the conferees. For that reason, if for no other, I would vote against the conference report.

There is one other matter to which I want to draw the attention of the Senate and of the public before I take my seat. I was informed yesterday, before all of the press notices of this morning came to my attention, that there was a movement on foot to pass the buck on the soldiers' so-called bonus bill over to the White House. I was informed that the House has been requested to be sure to see that all appropriation bills have been approved before they send over the so-called soldiers' bonus bill.

Of course I can not verify that. I have every reason, however, to believe that the statement is accurate, that there is a movement on foot among leaders in Washington to see that every appropriation bill is out of the way before the passage of the soldiers' adjusted-compensation certificate bill.

I think that is an abhorrent situation. I think it is abhorrent to attempt to fool the soldiers that way, to pretend that we seriously are going to consider and pass some legislation to pay them money which they earned in 1917, 1918, and 1919, when, as a matter of fact, there is so much insincerity about it that we are going to try to pass the buck to some other branch of the Government.

I hope the Senate will not approve or lend its encouragement to any such procedure. I hope the Senate will not pass or approve all of the conference reports and all the appropriation bills, and leave the passage of the adjusted-compensation certificate bill until the end of the session, and there will be no necessity for a special session.

I want to point out that unless we get a soldiers' bonus bill to the President by February 23, a week from next Monday, it is quite probable, or at least possible, that the bill might be pocket vetoed, because it will then be less than 10 days the President will have to withhold his approval.

Mr. President, that is a rather contemptible procedure, because it is perfectly plain that we can pass some sort of bonus legislation, we can pass it next week, and get it to the President next week, so that he will be required either to veto the legislation and give us a chance to deal with his veto, or he can approve it. But whatever is done ought to be openly, frankly, and honestly done, and I hope the Senate will not lend itself to any such scheme, which, in my judgment, is in the offing.

Mr. BORAH obtained the floor.

Mr. GLASS. Mr. President, will the Senator from Idaho yield to me?

Mr. BORAH. I yield.

Mr. GLASS. A good deal has been said about the Red Cross supplying medicines to the afflicted districts in the country. I want to have printed in the RECORD as a part of my remarks a telegram from Mr. Howard W. Ambruster, of New York, who tells me that he offered to supply the Red Cross \$500 worth of medicines for distribution, and the Red Cross officially declined to accept the donation.

In this connection I want to print the official letter of the Red Cross, dated Washington, February 4, declining the donation, stating that the Red Cross is not engaged in supplying medicine.

I also want to include as a part of my remarks here a letter from Mr. Ambruster, and inasmuch as we sought the other day to have the Secretary of Agriculture interpret for us what we intended to do in passing this conference report, I want to offer as a part of my remarks for the

RECORD a statement made by Mr. Hyde, Secretary of Agriculture, on December 8, 1930, showing that if he interprets this bill as he assures us now he will interpret it, it is an interpretation absolutely the reverse of his interpretation of the original bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia for the printing of the documents referred to?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

FEBRUARY 13, 1931.

HON. CARTER GLASS,

United States Senate, Washington, D. C.:

Secretary Hyde's telegram stating Red Cross is supplying medicine as well as food is directly contradicted by letter written me on 4th instant by Doctor DeKleine, medical assistant, Washington headquarters American Red Cross, refusing donation \$500 worth medicine for drought relief and stating, "We are not engaged in providing medical care." Am mailing you copy Red Cross letter; also copy recent press release by Hyde indicating he objects to loans for food and clothing to starving farmers because of the later burden of repayment.

HOWARD W. AMBRUSTER.

THE AMERICAN RED CROSS NATIONAL HEADQUARTERS,

Washington, D. C., February 4, 1931.

MR. HOWARD W. AMBRUSTER,

261 Broadway, New York, N. Y.

MY DEAR MR. AMBRUSTER: I have your letter of February 2, offering to donate \$500 worth of medicines to be distributed to the hospitals and other free clinics in Arkansas and other States afflicted by the drought.

We are confining our efforts in the drought-relief program primarily to providing food and clothing for the needy. We are not engaged in providing medical care for the sick and injured. That is left, at the present time, entirely to the local medical profession. I would therefore suggest that you get in touch with the various hospitals in the drought-stricken area. I feel sure they would be glad to accept this generous gift from you.

Please accept our sincere thanks for offering this splendid contribution.

Very sincerely yours,

WILLIAM DEKLEINE, M. D.,  
Medical Assistant to Vice Chairman.

NEW YORK CITY, February 13, 1931.

The attached statement by Arthur M. Hyde is a true copy of a press release issued by the Department of Agriculture on December 8, 1930. It is apparent from the last paragraph of same that Secretary Hyde's most recent interpretation of "farm-relief" program of the administration is "let the farmers in the drought-stricken area die of starvation now so they don't have to struggle under the burden of repayment of food loans later."

H. W. AMBRUSTER.

DECEMBER 8, 1930.

STATEMENT BY ARTHUR M. HYDE, SECRETARY OF AGRICULTURE

I have heretofore expressed approval of the principle of the proposed Federal loans to farmers who have suffered severely from the drought, provided such loans are limited to the purpose of purchasing feed for work animals and fertilizer. Loans made for such purposes provide the stricken farmer with the means of starting his agricultural operations anew.

There are a great many objections to the Government making loans for human food. From a national point of view this latter class of loans approaches perilously near the dole system and would be a move in the wrong direction.

Under the relief plans proposed by the administration a very large sum of money will be made available for road work, for rivers and harbors, and other purposes in the drought States. The road work especially has been proposed with the object in view of giving the farmers an opportunity to find employment during the winter, and thus provide for themselves their food and clothing. To include loans for human food in the Federal drought relief bill would remove the occasion for an increase in the highway work in the States.

The Red Cross has undertaken to take care of all cases of distress. It has organized the committees in every county in the drought area, and is now engaged in the important work of relieving distress cases. The national chairman of the Red Cross states that his organization is able to carry the burden. I am sure that if their funds are depleted, public response will restore them.

The only argument against this method of relief is the claim that it is charity. In a broader sense the Red Cross is the Nation's insurance against disaster, and not mere charity. The very people who, through no fault of their own, are now in distress have in times past contributed to the Red Cross and are now entitled to the assistance of that organization in their time of need. It is not charity in the accepted sense of that term. It is far more consonant to our institutions that we should alleviate such distress as that caused by the drought by the efforts of the local



communities aided by such national nongovernmental institutions as the Red Cross.

There is no more justification for the Government to furnish food to the farmers in the drought area than there would be in furnishing food to any section of the United States or to any other class of our people who may be in distress. I believe this attitude will be supported by the substantial farmers of the country. If we go beyond the established precedents of loans for seed, feed for animals, and fertilizer, we are treading on dangerous ground from a national and governmental viewpoint, and in the long run will be doing great injury to the agricultural industry.

The greatest loss which was suffered from the drought was in corn. There was no shortage of wheat or cotton. The national production of both wheat and cotton was above the average. The real point, however, is that the greatest sufferers, and those for whom we must have concern, are the small farmers, both white and colored. To such farmers loans to provide seed and the means for making their next crop will be a real boon. The relief afforded in this way will ease their burden in other directions and enable them to provide their own food and clothing, and give them an opportunity to continue their business.

An additional reason for limiting Federal loans to seed, feed for work animals, and fertilizer lies in the fact this is the extreme limit to which such loans have been applied in the past. If now such loans include such objectives as food and clothing for the family, a great injury will be done to the conscientious, hard-working farmer, many of whom will struggle under the burden of repayment for many years. Those who are shiftless and ne'er-do-well will probably repudiate their obligations, while the conscientious are still bearing theirs. To those who repudiate such loans become a form of charity much more damaging than relief by the Red Cross could possibly be.

Mr. BORAH. Mr. President, for at least a hundred and eighteen years the Government of the United States has appropriated money, in one way or another, and under various circumstances, to take care of those who, either through drought or fire or flood or earthquake, were placed in a condition where they were unable to take care of themselves, and where great suffering seemed imminent.

The first incident of the kind to which my attention has been directed was something like 118 years ago, and from that time until this the Government, in different emergencies, has met the situation through governmental benefactions direct from the Treasury of the United States. In some instances the Government has taken security, and in some instances it has granted the appropriations without security. Our record in this respect is clear, unbroken, and highly humane and honorable.

The fact to which I want to call attention at this time is that I have not found in any of the debates or discussions either in the press or upon the floor of either House of Congress any reference to a dole in connection with aid to those who were suffering by reason of flood or fire or earthquake or drought. I have never before known or read of an instance in which, when we undertook to appropriate for the benefit of those thus afflicted through the angry moods of nature, the assistance was referred to as a dole. This in the first instance, to my knowledge, when that accusation has been brought against an effort to make an appropriation.

I think it well to bear that in mind. There must be some reason back of this effort to convince the American people that we are seeking to establish a dole system when we are seeking to relieve the drought sufferers. I do not believe it is sincere. I think the falsity of it is apparent. The dole system has never been thought of under such circumstances, nor had it any relevancy in the minds of the people to such conditions as those with which we are seeking to deal.

Mr. President, I want to say something at this time in regard to those who are suffering by reason of the conditions which have been depicted here and who have no security. We have undertaken to take care of the man who has security, of the family which has means to guarantee the Government of the United States a return of the money loaned. We have been willing to help those who have security to give, and therefore able in a way to get loans elsewhere. Those best able to help themselves we are disposed to assist; those least able to help themselves we are like the Levite passing them by.

But I want to say a word as to the condition in which we are leaving those who have no security. I particularly want to accentuate and condemn what seems to me a clear

discrimination in the treatment upon the part of the Government of the man who has security and the man who has no security. I maintain that the Government of the United States is just as much interested and under no less obligation in protecting the life and the health of those who have no security as of those who have security. We are under the same solemn duty to protect those who are left without means to assure repayment as we are those who have means for repayment. We are not interested alone in protecting property or in protecting the Treasury of the United States. We are interested in maintaining and protecting the lives of our people.

The lives of those who have no security are as sacred as the lives of those who have security and ought to be so regarded by the people of the United States and by the Government of the United States. This is a question of going to the rescue of men and women who have been visited by a fearful calamity, and we ought to make no distinction between the partially helpless and the utterly helpless.

As the situation has finally developed by this legislation, we have reached out and aided those who have the means to repay. I maintain that we have left out of our policy and our program, so far as the Government is concerned, all thought for the men, women, and children who have no security. They may be taken care of by charity. I shall discuss that later. What I am now speaking about is the policy of this Government as a government in refusing governmental benefaction to those who are hungry and suffering because they can not secure the Government. I do not think the Senate of the United States wants to go on record in favor of such a policy. That is the policy. It is a cruel and indefensible policy. If charity fails to take care of them the Government lets them hunger and sicken and die.

We are concerned with the lives and the health of all those who are afflicted, and not alone of those who have property. But it is said to us, "We have provided for those who have security, and we will turn over to charity those who have not security." I want to call attention to the condition in which we leave them even under that state of facts.

The President sent to the drought-stricken region his representative to ascertain the condition in those States with reference to the suffering and with reference to the health of the people in those regions. His representative said:

Survey has covered 16 counties including hardest hit sections of State of Arkansas. Red Cross and local agencies are now adequately meeting the situation.

This is a general declaration. No facts, but an opinion.

That, Mr. President, has been the general statement which has come to us from the beginning. We were told that in January. We found later it was found to be a serious mistake. It is the general statement which we are to give to the country as we adjourn upon the 4th of March—the general declaration that the Red Cross is in control of the situation, is master of the situation, is taking care of the situation.

In the first place, I ask what can one, flying over a region of country, covering a number of counties in several States in three or four days, know about the actual grinding suffering of those who are huddled in their homes and are not in a position or condition to meet with the delegate from Washington and explain their condition?

The Christian Science Monitor sent a representative of its own to that region of the country. He has been writing what seems to me very clear articles upon the situation. It seems to me that he was seeking to get at the facts regardless of who they should help or hurt. I read one paragraph from one of his articles. Describing one of the homes which he visited, he said:

The flour barrel exhibits a few pounds left at the bottom. The meal barrel is down to its last half inch. Several handfuls of beans, a half sack of rice, and a piece of lard the size of an egg complete the provisions for husband and wife and six children. One of these is digging up a couple of small turnips from what remains of the turnip patch.

A supply was scheduled that day from the Red Cross, but the mother declares that the relief food is not enough. So said the first family and the next to come. So said the planter. So said



W. F. Gordy, a township relief chairman present. So said also R. H. Winfield, office manager for the county Red Cross relief organization.

He gives in some detail the conditions which he found in the different places which he had visited and also the inadequacy of the supply of that territory over which the Red Cross was presuming to operate.

Two days ago I received a letter from one of the high officials of the State of Kentucky. In this letter, after describing the situation throughout the territory over which the Red Cross was presuming to operate, he said:

In the meantime we are still hauling water all over Kentucky and thousands of people are without the bare necessities of life. The little dribs of the Red Cross do not begin to take care of the situation.

I have not time to comment on these letters.

Another letter which I received some three days ago from a gentleman who lives in the District of Columbia, connected with charitable work, the head of a charitable organization, who has been traveling over that country, gives a description of the condition in which he found the people. Among other things he said:

On a recent trip which I made through Kentucky I saw little children picking up grains of corn dropped from the mouth of a horse and eating them. They were hunting around the mangers for grain, and one little fellow had his pocket full that he was taking home.

A few kernels of corn for the hungry child, the drippings from the mouth of a merciful mule! That is the situation extensively discussed and described here by a gentleman who is familiar with humanitarian work, whose life is given over to that kind of work. I have a feeling that he is not exaggerating the facts.

From another letter I read:

I have been traveling about in Kentucky and Tennessee more or less for nearly three weeks. The suffering in some parts of those States has not been overstated. It could not well be overdrawn. I have seen family after family with not even what you would term a scanty meal left in their houses. They are subsisting in many instances on what one would call refuse. In one home I found a mother and three children. The oldest I should say was about 9, but it was hard to judge their ages because of their emaciated condition. Two of the children were in bed. The mother was sitting on a box in the kitchen. The other child came in later, carrying something which I understood was turnips. There was nothing in the house to eat, unless those turnips could be called food. I say "nothing" because I feel that is true. The mother became almost hysterical when I talked with her. She said she had been helped about a week before by the Red Cross, but it lasted only a couple of days. This was perhaps the most pitiful case I ran across, but I found many in scarcely less want.

My friends, so far as the Government is concerned, we are turning over those who have the misfortune not to have any security to the tender mercies of the Red Cross and leaving them in the condition which is here described, and which anyone can verify who has any desire to know the facts. The proof is available that hunger and disease are preying upon these, but they have no "security."

Is it the full duty of the Government of the United States to leave those without property and means to the hazard of feeding from the charitable hands of the Red Cross, and, secondly, to leave them under such conditions that it is practically impossible for them to escape hunger and disease? Have we as a Government become concerned alone in the health and the life of those who have property, and unconcerned in the life and health of those who have not? Time and time again in the history of this Government we have gone out with bounty from the Government and aided those who were in affliction, and asked for no return or security. It was the brave and the patriotic thing to do. We have not in the past been afraid to feed the hungry and administer to the sick for fear we would undermine their character.

I have other letters, which I shall not take the time to read. I have received more than 500 letters along these lines. I want to call particular attention to another matter. I read:

Pellagra, that dread ghost of famine, has invaded this county. A total of 800 cases have been reported, 300 of which are in one township. Smallpox also is breaking out over a wide area.

LXXIV—309

On February 10, the day after this statement appeared in the press, I read the following in an Associated Press report:

Dr. William DeKleine, Red Cross medical director, told Federal and State health officers here to-day the Red Cross is not prepared at present to supply medicine and medical services to drought sufferers. Doctor DeKleine said the demand for food, clothing, and other necessities is so great and the drought effects are so widespread and long drawn out that the Red Cross can not be expected to furnish medicine and physicians' care.

Who is going to furnish them? Pellagra, which chums with famine, is following up the work of the Red Cross, and when the disease overtakes the children we have the announcement from the Red Cross that they are not prepared to furnish medicine to the sick, the helpless, and to the hungry. Who is going to furnish it? Is the Government of the United States unconcerned? Dare we be indifferent? It is a dangerous policy!

We have just passed another period of paying lip service to the memory of Abraham Lincoln. Can anyone imagine Mr. Lincoln at the head of the Government saying, "You people who have security may be helped, may have aid; but you people who have no security, unless charity happens to find you and take care of you, may die"? My friends, that is precisely what will happen in my judgment if they have no security and must depend upon those charitable organizations. The task is evidently beyond their means. Hundreds and thousands of them will lose their lives or become so afflicted with disease that life will be worth very little.

I invite attention to the following Associated Press dispatch:

MEMPHIS, February 11 (A. P.).—Surg. Gen. H. S. Cumming, of the United States Public Health Service, went into one of Arkansas's drought-stricken counties to-day and said he found reason to believe conditions would become worse instead of improving in the near future.

Returning here to-night before leaving for Washington, he said his trip to St. Francis County impressed him with the magnitude of the relief problem. "They are feeding 23,000 people over there in that county," he said. "From what they told me, conditions will become worse."

Although the Senator from Virginia [Mr. GLASS] has put the telegram in the RECORD, I want to read it in connection with my remarks.

Secretary Hyde's telegram stating Red Cross is supplying medicine as well as food is directly contradicted by letter written me on 4th instant by Doctor DeKleine, medical assistant, Washington headquarters, American Red Cross, refusing donation of \$500 worth medicine for drought relief and stating: "We are not engaged in providing medical care."

Senators, who is going to provide it? It may be that some of those in distress have sufficient security to secure that which is necessary for life and health, but I am asking to-day about those who have not that security. Is the Congress of the United States willing to adjourn and leave those people without medicine, without food, without help? Why? Simply because they have not security.

Mr. COUZENS. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Michigan?

Mr. BORAH. I yield.

Mr. COUZENS. Does the Senator from Idaho recall that the Associated Press carried a story this morning to the effect that the meager relief which the Red Cross is giving is to be withdrawn on March 1?

Mr. BORAH. I note an Associated Press dispatch reading:

The beginning of the end of the Red Cross general feeding program is set for March 1 in southern plantation States.

That is from the Associated Press dispatch in the New York World of February 14.

So, Mr. President, although we know there are hundreds and thousands of people in the drought-stricken States who have not the means of giving security, that they are already impoverished, that they are on the verge of starvation, in many instances, and although we know that disease has accompanied the famine which has been prevailing, yet we are informed that upon the 1st of March even the present inadequate food supply is to be decreased, and that already medicine has been denied. If anything can be concluded



from that state of facts it is that those people are going to suffer beyond the power of language to print. I can not vote for a proposition which embodies as a matter of policy the theory that only those who have security are entitled to the help of their Government.

Mr. President, so far as the constitutional question is involved, that has now been settled. Those who support this amendment concede the constitutional power. If we can appropriate money for the purpose of feeding those who have security the same constitutional power enables us to appropriate money to feed those who have no security.

When we began this discussion there was much said about our lack of constitutional power, and the veto message of Grover Cleveland was cited, but the veto message of Grover Cleveland covered a bill which is identical in principle with the bill which we are incorporating in this report. The principle which he enunciated would cover the proposition which we are now incorporating in the bill. No one will contend, no one I venture to say will argue, that if we have the constitutional power to feed one person we have not the constitutional power to feed another, simply because one has security and the other has not. Does anybody here contend that we are now lacking in constitutional power? Certainly not. We have passed over that hurdle. The constitutional power is now conceded by all of the gentlemen who are going to vote for this conference report. The Constitution fortunately does not make any distinction between the man who has security and the man who has not. The power applies in one instance the same as in the other.

So, Mr. President, we have the constitutional power to do what we ought to do for our citizens; and I sincerely hope that, in some way or other, we shall determine before this session is over to enact a measure which will guarantee relief for those who may not be able to give security to be used whenever necessary to save life and administer to the sick.

Mr. FESS. Mr. President, will the Senator from Idaho yield for a question?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I do.

Mr. FESS. I am interested to learn the reason why the Red Cross declined to accept the \$500 worth of medicine. I know nothing about it and I should like to get the facts. Was their declination because they do not receive contributions other than money? Have they the facilities to accept and use medicine or anything else that I, for instance, might want to give rather than money? There must be some explanation for their action.

Mr. BORAH. I presume the explanation is contained in Doctor DeKleine's telegram, in which he stated:

We are not engaged in providing medical care.

According to the Associated Press, he announced that the Red Cross was not supplying medicine to the sick.

Mr. FESS. Is it not true that the Red Cross supplies the funds with which to fill prescriptions rather than supplying the medicine itself?

Mr. BORAH. I do not know. I merely have here Doctor DeKleine's statement.

Mr. FESS. I am trying to get at the practical side of it.

Mr. GLASS. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Virginia?

Mr. BORAH. I yield.

Mr. GLASS. It is not true that the Red Cross accepts nothing but money contributions, because in the case of the Mississippi flood in 1927 the Red Cross accepted supplies from the Army and other departments of the Government aggregating in cost more than \$1,000,000.

Mr. BINGHAM. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. I will yield in a moment. I notice according to press dispatches that several Western States have sent carloads of food, and so forth, direct to the Red Cross and the Red Cross is distributing those supplies. I do not

think that what the Senator from Ohio suggests is the answer; I think the truth is that they are not purporting to supply medicine. I now yield to the Senator from Connecticut.

Mr. BINGHAM. Since the Senator made his original statement, which seemed to me so very striking, I called up the Red Cross and got in touch with one in authority there and was told that they were actually spending money for medicines in some parts of the drought area, but that doctors in some other parts of the drought area had insisted that the Red Cross pay for all their prescriptions, and there was some difficulty in that regard. He also stated that they had not heard at headquarters of any declination to receive gifts for medicine, and the question as to whether they have declined a specific amount of medicine is now being looked up. Apparently, no one at Red Cross headquarters was aware that such had been the case. He said that there had been a conference in Memphis within the last few days in which this matter had come up; that doctors had asked the Red Cross to pay their bills for services and for medicine, as is frequently the case in all emergencies of this kind, and that some of those requests had been declined, but that the Red Cross was actually spending a considerable amount of money for medicine.

Mr. GLASS. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Virginia?

Mr. BORAH. I will yield in just a moment.

Mr. GLASS. Will the Senator permit me to say that over and against that telephone message I have had put in the RECORD what purports to be an official letter from Doctor DeKleine, of the Red Cross here in Washington, declining a donation of \$500 worth of medicine?

Mr. BORAH. Mr. President, on February 10 the Associated Press carried this statement:

Dr. William DeKleine, Red Cross medical director, told Federal and State health officers here to-day—

That was at Memphis, Tenn.—

the Red Cross is not prepared at present to supply medicines and medical services to drought sufferers.

I have a telegram from Mr. Ambruster, the man who offered to donate the \$500 worth of medicine, in which he says:

Secretary Hyde's telegram, stating Red Cross is supplying medicine as well as food, is directly contradicted by letter written me on 4th instant by Dr. E. DeKleine, medical assistant, Washington headquarters, American Red Cross, refusing donation \$500 worth medicine for drought relief, and stating, "We are not engaged in providing medical care."

Mr. President, amidst all these contradictions one thing is likely true, and that is that the medicine is not being supplied, that women and children are ill, that no one is administering to them, and that the Congress of the United States on the 4th of March proposes to turn its back upon the sick and the dying, without giving them any relief whatever.

Mr. GLENN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Illinois?

Mr. BORAH. I yield.

Mr. GLENN. I wonder if the Senator from Idaho knows whether any one of the 21 States in the drought area which are affected has made any appropriation of any character to relieve its own people?

Mr. BORAH. Mr. President, I do not care two cents whether they have or not. When we undertook to help a great municipality in Massachusetts, did we ask Massachusetts to exhaust her resources? When we undertook to aid the people who were suffering in California from an earthquake did we say to the great State of California "Exhaust your resources?" When we helped the Dakotas did we ask "Have you exhausted your resources?" When did these side-stepping, technical objections first appear with reference to feeding the hungry in the United States? They are something new. They have never heretofore been advanced.

Mr. GLENN. Will the Senator yield further?

Mr. BORAH. I yield.



Mr. GLENN. I addressed to the Senator what I thought was a proper and pertinent question.

Mr. BORAH. And the Senator got an answer. [Laughter.]

Mr. GLENN. No; I did not; I got no answer, in my judgment. I asked whether the Senator knew whether a single one of the States, 21 or so in number, had appropriated a single dollar to care for its own people in this great emergency that has lasted now for nearly nine months?

Mr. BORAH. Take, for instance, the State of Arkansas or take the State of Kentucky; we know the conditions in those States, superinduced by the drought; we know the condition of the banks; we know the financial conditions; we know the economic conditions in those States. I do not know whether those States have made appropriations for the relief of their own people or not, but I say to the Senator, with all respect for his judgment, that I do not care. So far as my duty here is concerned, while people are hungry and suffering and dying I do not propose to wait for somebody else to help. Twenty-one States are afflicted. It is a national calamity and a national problem.

The VICE PRESIDENT. The time of the Senator from Idaho has expired.

Mr. GLASS. Mr. President, does not the Senator from Idaho recall—

The VICE PRESIDENT. The time of the Senator from Idaho has expired. Does he yield for a question?

Mr. BORAH. I yield for a question.

Mr. GLASS. I wanted to ask the Senator if he has not seen it stated in the newspapers and not denied that the Legislature of Arkansas appropriated \$1,500,000 for the relief of the people of that State?

Mr. HAYDEN obtained the floor.

Mr. GLENN. Mr. President—

The VICE PRESIDENT. The Senator from Arizona has the floor.

Mr. HAYDEN. Mr. President, I shall vote for the adoption of the conference report, not that the compromise made in it is satisfactory to me, but I am unwilling to vote against inadequate relief merely because adequate relief can not be obtained by any legislation which would be approved by the President of the United States. I shall vote for this conference report without any apology for having voted in the Senate for an appropriation of \$25,000,000 to be expended by the American National Red Cross in providing food and clothing for American citizens who are in distress.

When that proposal was under consideration by the Senate we were told that there was no precedent for it; that the Congress had never appropriated money to be expended by the Red Cross. There are precedents extending over a period of 50 years since the Red Cross was first organized in 1881 whereby money out of the Treasury of the United States has been appropriated to repay the War Department for supplies furnished to the Red Cross. When the La Follette resolution relating to drought relief and unemployment was under consideration by the Senate Committee on Appropriations a question was asked by the Senator from New York [Mr. COPELAND] of Hon. John Barton Payne, the chairman of the American National Red Cross as follows:

Senator COPELAND. Has the Red Cross ever received funds from the Government?

Mr. PAYNE. Never.

Then I said:

There has been this situation, though, that in the case of the Mississippi flood disaster, and elsewhere, the American Red Cross has been furnished material and supplies by the Army in very substantial amounts, for which afterwards the Congress reimbursed the War Department.

Mr. PAYNE. Yes, sir.

Senator HAYDEN. And that has amounted to large sums of money.

On the 15th of January I wrote a letter to the Secretary of War, directing his attention to this colloquy as it appears in the printed hearings before the Committee on Appropriations. About two weeks later I received a list of disasters which goes back to the year 1925, accompanied by the fol-

lowing letter from F. H. Payne, the Acting Secretary of War:

WAR DEPARTMENT,  
Washington, January 30, 1931.

HON. CARL HAYDEN,  
United States Senate.

DEAR SENATOR HAYDEN: With reference to your letter of January 15, 1931, quoting part of the hearings of Hon. John Barton Payne, chairman of the American National Red Cross, before the Senate Committee on Appropriations, relative to War Department property turned over to the Red Cross during the Mississippi River flood, and other disasters, for which Congress reimbursed the War Department, and requesting a statement showing the name of each disaster, the year in which it occurred, and the approximate value of Government property turned over to the Red Cross by the War Department, there is herewith a tabulated statement showing "Value of Government property turned over to American Red Cross by the War Department for relief purposes," amounting to \$3,739,874.49 from March, 1925, to May, 1930, which property was consumed, lost, or not returned to the War Department in a serviceable condition.

In some instances property is returned to the department in a serviceable condition, and in such cases no charge is made for the use of the property during the emergency.

In this connection it should be stated that the property in question was issued from stocks required for the maintenance of the Army, but no reimbursement has been made to the War Department therefor.

Sincerely yours,

F. H. PAYNE,  
Acting Secretary of War.

The list—which I shall not detain the Senate to read—contains all of the major disasters that have occurred in the last five years, the greatest being the Mississippi flood, to which the Senator from Virginia referred a few moments ago. The amount of Government property turned over by the War Department to the Red Cross in connection with the Mississippi flood was valued at \$2,800,778.50.

I ask to have the list published in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Value of Government property turned over to American Red Cross by the War Department for relief purposes

Tornado at New Albany, Ind., March, 1925.....	\$166,672.95
Murphysboro and De Soto, Ill., storms, March, 1925..	51,886.46
Collapse of Tubercular Hospital, at Springfield, Ill., July, 1926.....	1,213.00
Storm at Miami, Fla., September, 1926.....	91,296.77
Tornado at Rock Springs, Tex., April, 1927.....	6,232.21
Mississippi flood, 1927.....	2,800,778.50
New England flood, November, 1927.....	6,943.04
Cyclone at St. Louis, Mo., September, 1927.....	12,339.83
Breaking of San Francis Dam, Los Angeles, Calif., March, 1928.....	172.80
Tornado at McCook, Nebr., June, 1928.....	873.99
Cyclone at Covington, Tenn., June, 1928.....	762.72
Cyclone at Snyder, Okla., June, 1928.....	974.00
Florida hurricane, September, 1928.....	33,910.40
Porto Rican hurricane, September, 1928.....	422,998.29
Earthquake in Venezuela, January, 1929.....	81,820.65
Flood in Alabama and Florida, March, 1929.....	30,171.79
Arkansas flood, March, 1929.....	10,058.00
Georgia storm, April, 1929.....	6,901.45
Cyclone at Carnegie, Okla., April, 1929.....	164.79
Explosion in fireworks factory at Devons, Mass., April, 1930.....	127.30
Oklahoma storm, May, 1930.....	2,196.45
Kansas storm, May, 1930.....	292.85
Storm at Tekama, Nebr., May, 1930.....	793.40
Storm at Jourdan, Tex., May, 1930.....	292.85
Santo Domingo hurricane of 1930.....	10,000.00
Total.....	3,739,874.49

Mr. HAYDEN. This list, it will be observed, covers only the past six years. I am satisfied that if a complete record had been made of all transfers of materials and supplies from the War Department to the American National Red Cross the amount contained in this list would be doubled and redoubled many times. I cite only one example, the San Francisco earthquake and fire in 1906, where the War Department informs me that over \$1,200,000 worth of Army supplies was turned over to the Red Cross for the relief of the people of that stricken city.

Mr. CONNALLY. Mr. President—

Mr. HAYDEN. I yield to the Senator from Texas.

Mr. CONNALLY. May I ask the Senator if it is not true that these millions of supplies were turned over by the War



Department without any legislation whatever, simply upon the instructions of the Executive?

Mr. HAYDEN. I do not know whether there is any authority of law for transferring property from the War Department to the Red Cross in case of emergency; but whether there is any law or whether there is no law it was the right thing to do. Congress has not hesitated subsequently to appropriate the necessary sums of money to replace in the warehouses of the War Department all supplies that were thus freely handed over to and used by the American National Red Cross. I beg to inquire whether there is any difference in principle between giving goods and giving money to the Red Cross?

Mr. COPELAND. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from New York?

Mr. HAYDEN. I yield to the Senator from New York.

Mr. COPELAND. Is it the Senator's view that the attitude of the Red Cross is such that we can not expect from them more than the suffering people are getting under the present plan of operation?

Mr. HAYDEN. I am unable to predict what the Red Cross can accomplish. That organization has done great and wonderful work on other occasions, apparently to the satisfaction of the country. If the need is here, and the officials of the Red Cross can find the funds, as they say they hope they can do, well and good; but for my own part, and I am sure that is the attitude of the Senator from New York, to insure and reinsure that the American National Red Cross shall have ample funds to relieve distress among the American people, we have supported a Federal appropriation of \$25,000,000.

Mr. COPELAND. Mr. President, will the Senator yield further?

The VICE PRESIDENT. Does the Senator from Arizona further yield to the Senator from New York?

Mr. HAYDEN. I do.

Mr. COPELAND. The Red Cross has said that it will not accept or distribute any Government funds. Therefore, are we not placed in the position that so far as that organization is concerned, we have to take the meager help they will be able to give under their present system?

Mr. HAYDEN. I think it is most unfortunate that the officials of the American National Red Cross were placed by the President of the United States in position where they had to make to the country the statement to which the Senator refers. Having taken that position, I hope they can find means elsewhere to grant the full measure of relief which the existing emergency demands. So far as the Senate is concerned, we are faced here to-day with the proposition that the President of the United States disapproves of our making an appropriation of \$25,000,000, and the Red Cross officials say they will not accept it. Therefore there is nothing for the Senate to do but to approve this conference report.

Mr. COPELAND. I take exactly the view that the Senator does. Is not the attitude of the President such that this is all we can hope for?

Mr. HAYDEN. At this time, undoubtedly.

Mr. COPELAND. All right. Then the position of the Senator from Arizona is that in view of the attitude of the Red Cross, and in view of the attitude of the President of the United States, we must take this compromise or nothing. The Senator and I will vote for this bill because we can not get all we want and what we believe the country needs.

Mr. HAYDEN. The Senator from New York has stated my position exactly.

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Kentucky?

Mr. HAYDEN. I yield.

Mr. BARKLEY. How can anybody say that recreancy on the part of anybody else to perform his duty relieves us of our duty? How can anybody say that we would not get more if we would pass more, and put it up to the White House and let the President either veto it or approve it? Who can

say that the President would veto a bill placing at his disposal \$25,000,000 to help relieve suffering in this country?

Mr. HAYDEN. The President has stated his opposition so plainly that he has convinced me that he would do that identical thing, and this appropriation bill can not become a law without his approval.

Mr. BARKLEY. I do not recall that the President has said that.

Mr. BINGHAM. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Connecticut?

Mr. HAYDEN. I do.

Mr. BINGHAM. I have now received from the Red Cross a copy of their official instructions to chapters, which state that chapters shall offer to pay for all medical prescriptions by physicians for families unable to pay.

With regard to the question of whether or not they have declined to receive a certain gift of medicines, there is no one there who is familiar with the situation; but the fact remains that they have instructed their chapters to pay for all prescriptions for medicines for families unable to pay.

Mr. HAYDEN. Mr. President, the letter I have read from the Acting Secretary of War was submitted to Hon. John Barton Payne, chairman of the American National Red Cross, before it was sent to me. Judge Payne has written me as follows:

THE AMERICAN RED CROSS,  
Washington, D. C., February 2, 1931.

HON. CARL HAYDEN,  
United States Senate, Washington, D. C.

MY DEAR SENATOR HAYDEN: The Acting Secretary of War has sent over to me a copy of your inquiry as to supplies loaned by the War Department to the American Red Cross in disaster for which Congress later reimbursed the War Department, together with a copy of his reply.

I did not have when you asked me the questions any itemized statement and was not able, therefore, to give you either the total amount or the different disasters.

The Red Cross does not have, and in a nature can not maintain, adequate supplies of tents, cots, blankets, etc., which in case of an emergency must be immediately available. Both the War Department and the Congress have been exceedingly cooperative; the War Department in supplying the needs promptly and the Congress in reimbursing it for the supplies.

The only question, I take it, is whether the Red Cross should be required to pay for the supplies after they had been used, lost, or destroyed, and, of course, I am willing to deal with this situation if in the opinion of Congress it should not reimburse the War Department.

Cordially yours,

JOHN BARTON PAYNE, Chairman.

Of course the Red Cross should not reimburse the War Department. No one in Congress will ever ask that that be done. The program that is now carried out whenever a disaster occurs should continue to be in effect. No one can tell when or where an earthquake, a hurricane, or a great fire may occur. When disaster arrives and people are in distress, the Red Cross should be free to go to the nearest Army supply depot and take tents and blankets and clothing and food to care for the people immediately. Congress will always cheerfully appropriate the money subsequently to replace such military stores.

Nobody has objected or will object to that. I can answer Judge Payne here and now, expressing the true sentiment of both the Senate and the House of Representatives that he need not worry that the American National Red Cross will ever be called upon to repay the value of any supplies issued to it in times of distress and disaster by the War Department. Such a request will never be made by the Congress.

Mr. President, I can see no distinction between an appropriation by a State to the Red Cross and an appropriation by Congress to the Red Cross for the relief of distress. Many States in times of disaster have appropriated money which was placed in the hands of the Red Cross and used to relieve human suffering, just as was proposed originally in the appropriation bill which is now before the Senate.

I have asked the legislative reference service of the Library of Congress to prepare for me a list of acts of State legislatures for the last 25 years wherein appropriations of money have been made to relieve distress. In most cases, the money is appropriated to be expended either by the governor or by



some department of the State, but in practically every instance the governor or the State department having disposition of the appropriation inevitably turned to the Red Cross as the proper and most accessible and available agency for the prompt and effectual expenditure of the money.

I ask to have this compilation printed at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See Exhibit A.)

Mr. HAYDEN. Take the case of the great Dayton flood in Ohio. The Ohio Legislature in 1913 appropriated \$250,000 to be disbursed under order of the governor. The governor of Ohio turned that money over to the Red Cross. The Red Cross expended only \$100,000 of it. That was all which could be used and the remainder was returned to the State. That was not money raised by public contribution. It was not solicited from the public at large. It was an appropriation by the State legislature and placed the Red Cross under the same obligation as if Congress appropriated money and gave it to the Red Cross. No harm came to the Red Cross from that action by the State of Ohio, and no harm would come to the Red Cross from accepting the funds which the Senate originally proposed to appropriate for its use.

So far as my own State of Arizona is concerned, we are taking care of our own poor, our own distressed, and our own unemployed. I have directed the attention of Judge Payne, as the head of the Red Cross, and of Colonel Woods, as the head of the President's Commission on Unemployment, to the fact that in that southwestern region we have a problem which is very different from that of the rest of the United States in that we have to deal with thousands of transients who are unemployed and in distress.

I have in my hand a letter written by the famous author, Harold Bell Wright, addressed to the winter visitors in Tucson, Ariz., which I shall ask to have included in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Arizona Daily Star of February 4, 1931]

A LETTER TO OUR WINTER VISITORS

By Harold Bell Wright

DEAR FRIENDS: You perhaps have heard that the people of Tucson are earnestly engaged in raising money to purchase food for unfortunate people who through no fault of their own but because of the general unemployment situation are suffering privation. Because I know how universally human hearts respond to the cry of actual hunger and distress I am presuming to offer you an opportunity to join us in this good work. Perhaps I should add that I personally assume full responsibility for this invitation. I have no authority to speak for Tucson. I represent no civic organization nor city official; no commercial, political, nor social group. The truth is, I am not even a resident of Tucson—I live in the desert about 6 miles from the city limits. If, therefore, you feel inclined to hold this appeal as in poor taste from a host to a guest do not charge the discourtesy against Tucson. I am made bold to address you by the facts which I have to present.

Every community has its charity problems. You, no doubt, are contributing to the annual budget for the relief of the unfortunate in your own home cities and you may say that Tucson should take care of its own. Under normal conditions Tucson does take care of its own and more. I have on my desk reports from our charity hospital. Out of the 19 cases only 4 are residents of Arizona, the other 15 are from 10 different States.

To this necessity of caring for the nonresident health seekers in our midst we are accustomed and we meet it year after year. But we find ourselves just now facing an emergency to meet which our regular charity funds are wholly inadequate.

The general unemployment situation throughout the country is reflected in Tucson in ways not apparent to the casual observer. John Doe is here with his family. He came to Tucson from the East upon the advice of his home physician. His brothers, Jim and George, back home have been helping to finance him until he is restored to health. Jim and George are now out of work. They have no money to send to their sick brother and his family away out here in Tucson. Thus, the citizens of this community must meet a desperate need caused by the unemployment situation in a community thousands of miles away—and this is in addition to our own local unemployment needs.

A group of our citizens are doing excellent work in finding jobs for the unemployed. Those in need of work are listed and preference is given to the heads of families. The city is canvassed to find employment for these people. But in spite of this effort there are between 250 and 300 families, averaging five children each, that must be fed.

Every case which comes to us is carefully investigated by trained workers. The professional moocher is eliminated and food and medicines are supplied to the worthy as needed. The money which you give to this emergency relief will not be paid into the regular organized charity fund but will be carried as a special account and every penny of it will be spent for food. This food is purchased at the lowest wholesale price and is distributed without one cent of charge for investigating the cases, for overhead, nor for handling.

Tucson would not think of asking our winter guests to contribute to the activities of our local civic organizations nor to our ordinary charity work, but I feel that considering the nature of this emergency—that it is not wholly local in its origin—and because of the desperate need for food you will be glad to help.

Make your check payable to Tucson Emergency Relief Committee and hand it in or mail it to the committee in care of the Sunshine Climate Club, on Congress Street next the Rialto Theater.

Mr. HAYDEN. I want to read an extract from the letter:

Out of the 19 cases—

Referring to charity hospital cases in Tucson—

only 4 are residents of Arizona, the other 15 are from 10 different States.

The general unemployment situation throughout the country is reflected in Tucson in ways not apparent to the casual observer. John Doe is here with his family. He came to Tucson from the East upon the advice of his home physician. His brothers, Jim and George, back home have been helping to finance him until he is restored to health. Jim and George are now out of work. They have no money to send to their sick brother and his family away out here in Tucson. Thus the citizens of this community must meet a desperate need caused by the unemployment situation in a community thousands of miles away—and this is in addition to our own local unemployment needs.

If the appropriation of \$25,000,000 which the Senate proposed were included in this bill, Federal funds could be used to meet the transient problem in all that southwestern region where the local Red Cross chapters are required to take care, not of their own but of persons in distress from other States. That form of relief from a Federal source is denied by the adoption of this conference report. It is imperative that the relief be granted. I hope that the American National Red Cross will provide funds from some national source and give the assistance that its local chapters in Arizona so greatly need.

I am not satisfied with this compromise. I would not have made the kind of arrangement that is contained in this conference report, but, as I have stated before, it is all that is now obtainable, and I shall therefore vote for its adoption.

EXHIBIT A

STATE APPROPRIATIONS FOR DISASTER RELIEF, INCLUDING APPROPRIATIONS TO THE AMERICAN RED CROSS

(Digest of State laws covering disasters from 1905 to 1930<sup>1</sup>)

California

(Laws 1929, c. 662)

Creates a State emergency council, one member to represent the American Red Cross; \$15,000 made available for expenses.

Florida

(1929, c. 13631, p. 143)

Emergency relief fund: Upon the happening of any major emergency the board of commissioners of State institutions is authorized to transfer from any fund available to the treasury, not exceeding \$50,000, to be used under direction of the governor for purchase and distribution of food, clothing, and medical supplies.

The governor may work in cooperation with any nationally represented relief organization or with any local or state-wide relief organization as he may deem to the best advantage in giving relief.

Illinois

(Laws 1909, Ex., p. 6)

Cherry mine disaster: Appropriated \$100,000 to be administered through a State agency.

(Laws 1925, p. 134)

Cyclone sufferers in southern Illinois: Establishes a committee consisting of three members of the senate and four members of the house to act with the governor in furnishing temporary and immediate relief to cyclone sufferers in area visited by a cyclone on March 18; \$500,000 appropriated.

Funds expendable on vouchers certified by the governor and approved by a majority of the committee.

<sup>1</sup> Over 125 major disasters listed in annual reports of the American Red Cross were used as a basis for search.



(Laws 1927, p. 51)

**Flood relief:** Appropriates to the department of purchases and construction for the biennium commencing July 1, 1927, the sum of \$1,500,000 for emergency relief and for making temporary repairs to or reinforcements for levees.

(Laws 1927, p. 86)

**Cyclone sufferers:** Establishes a committee of three members of the senate, appointed by the president of the senate, and four members of the house, appointed by the speaker, to act with the governor in furnishing relief; \$50,000 appropriated.

Funds expendable on vouchers certified by the governor and approved by a majority of the committee.

(Laws 1927, p. 87)

**Illinois River Valley flood relief:** Establishes a committee of five citizens, appointed by the governor, to act with him in relief of flooded areas; \$250,000 appropriated to the governor.

(Laws 1929, p. 99)

**Flood relief:** Appropriates \$600,000 to the department of purchase and construction for construction and reclamation purposes and "to furnish relief" in areas which have been inundated.

(Laws 1929, p. 100)

**Flood relief:** Appropriates \$30,000 for flood relief at Quincy. The department of purchase and construction may contribute such part of the money appropriated as it deems necessary to secure the cooperation of the agencies of the United States Government or other governmental agencies.

*Indiana*

(Laws 1919, ch. 15, p. 44)

**Legalized appropriation of public money during the war to the Red Cross and other patriotic and philanthropic organizations.**

(Laws 1925, ch. 21, p. 58)

**Sullivan mine disaster:** Appropriates \$10,000, to be expended under direction of the governor, for relief of families of miners.

*Kentucky*

(Laws 1920, ch. 138, p. 628)

**Provides for an annual appropriation of \$5,000 to the Red Cross Association (colored) of Louisville, to be used for hospital purposes.**

(Laws 1928, ch. 125)

**Increased the annual appropriation to \$10,000.**

*Louisiana*

(Laws 1918, Ex. No. 11, p. 12)

**Hurricane sufferers:** Authorizes the governor to aid hurricane sufferers of Cameron and Calcasieu Parishes to the amount of \$20,000 in relieving destitution, such amount to be expended under his advice and direction.

(Laws 1920, No. 1, p. 3, S. C. R.)

**Flood relief:** Authorizes the governor to use balance of appropriation made for the State council of defense to assist people in flooded sections of the State.

*Massachusetts*

(Laws 1914, ch. 785, p. 943)

**Salem fire sufferers:** Appropriates \$100,000 for preservation of the health and safety and the relief of the needy and destitute inhabitants of Salem.

Expenditures shall be made by the State board of charity under direction of the governor during July, August, and September of 1914 only.

*Minnesota*

(Laws 1911, ch. 7, p. 11)

**Forest-fire sufferers:** Legalized payment of public moneys made by cities and county boards for purpose of aiding relief of sufferers from forest fires in 1910.

(Laws 1919, ch. 4, p. 6)

**Tornado; forest-fire sufferers:** Legalizes action of local governing bodies in granting aid to Tyler tornado sufferers and forest-fire sufferers in northern Minnesota.

(Laws 1919, ex. ch. 35; laws 1921, ch. 418)

**Creates a State board of relief in emergencies caused by storms, floods, fires, etc., consisting of the governor, auditor, and treasurer. Fifty thousand dollars appropriated.**

**Five-hundred-thousand-dollar loan authorized.**

(Laws 1919, ch. 37, p. 33)

**Forest-fire sufferers:** Continues the Minnesota forest-fire relief commission of nine members, appointed by the governor, for purpose of providing temporary relief of persons in need by reason of the forest fires of October, 1918.

The commission is authorized to spend \$1,850,000 in such manner and at such times as it may seem advisable.

(Laws 1919, ch. 62, p. 55)

**Tornado sufferers:** Creates the Tyler Tornado Relief Commission of five members, appointed by the governor.

Thirty-five thousand dollars authorized to be expended by the commission.

(Laws 1919, ch. 133, p. 133)

**Forest-fire sufferers:** Authorizes any county having an assessed valuation of \$250,000,000, exclusive of money and credit, to appropriate money for purpose of furnishing temporary relief to persons residing within said county who have suffered loss by forest fire or other extensive calamity.

The relief may be granted directly to such person by furnishing of supplies or assistance or by cooperating with any organized or incorporated relief association.

All payments heretofore made in furnishing temporary relief are legalized.

*Missouri*

(Laws 1913, p. 55, sec. 37)

**Flood relief:** Appropriation bill contains provision for \$7,610.56 for relief of south Missouri flood sufferers.

*Montana*

(Laws 1919, Ex. c. 8, p. 19)

**Drought sufferers:** Authorizes the county commissioners to furnish relief to inhabitants suffering from drought or other climatic conditions. If the amount required exceeds \$10,000, a special election must be called on the question of incurring the indebtedness.

*Ohio*

(Laws 1913, p. 136)

**Flood relief:** Appropriates \$250,000 to be disbursed on order of the governor.<sup>2</sup>

*Pennsylvania*

(Laws 1913, No. 741, p. 1217)

**Austin flood relief:** Created the Austin Dam Commission, consisting of the law judge of the fifty-fifth judicial district and two citizens of Pennsylvania to be appointed by the governor.

**Appropriations:** \$150,000 for recompensing individuals who sustained loss and damage except municipalities, corporations, or owners of the dam; \$60,000 for sundry other purposes.

*South Carolina*

(Laws 1930, Act 846, p. 1497, sec. 70)

**Hailstorm sufferers:** State appropriation act contains the following item: D-9, contributions for hailstorm sufferers in Spartanburg County, \$1,500.

*Tennessee*

(Laws 1927, c. 53, p. 146—general appropriation bill)

**Flood relief:** Appropriates \$25,000 for relief of the homeless, sick, and starving victims of the flood in west Tennessee, to be used in the discretion of the governor, said fund to be available immediately, subject to order of the governor.

(Laws 1927, c. 69, p. 229—miscellaneous appropriation bill)

**Flood relief:** For flood relief as per Senate Joint Resolutions No. 44 and No. 42 of the sixty-fifth general assembly, said appropriation being in addition to the appropriation made in the general appropriation bill of 1927, \$12,500. (This sum to be expended on approval of the governor.)

(Laws 1927, S. J. Res. No. 42, p. 453)

**Flood relief:** Authorizes the governor to use, out of the emergency fund of the State or any other available fund, a sum not to exceed \$7,500 for relief of flood sufferers in western Tennessee.

The governor will appoint a committee composed of three responsible citizens in the affected area to supervise and control the proper expenditure of the fund.

(Laws 1927, S. J. Res. No. 45, p. 454)

**Flood relief:** Authorizes the State to cooperate with the American Red Cross, the Federal Government, and local authorities, and to place all of the resources and facilities of the State at the disposal of those who are in dire need.

(Laws 1929, ch. 82, p. 183)

**Flood relief:** Appropriates \$20,000 for relief of needy and homeless victims of flood conditions in Tennessee, to be expended under direction of the governor.

The funds may be paid over, at the direction of the governor, to such relief agencies as may be designated by him, but he shall require of such agencies a detailed report of expenditures not later than 60 days after such expenditures are completed and the return of such amount as is not so shown to have been expended.

That in the discretion of the governor he may use so much of the above appropriated funds as may be necessary to reimburse such relief agencies for any and all sums which they may have heretofore spent for the relief of such sufferers in Tennessee since March 15, 1929.

(Laws 1929, H. J. Res. No. 33, p. 507, superseding H. J. Res. No. 30, p. 504)

**Flood relief:** Authorizes the governor to use the unexpended balance of the funds appropriated for flood relief in 1927, amount-

<sup>2</sup> "In relief work following this flood the Red Cross expended \$2,472,287. This sum included the administration of the Ohio State appropriation of \$250,000, which was intrusted to the Red Cross and of which \$150,000 was returned to the State treasury as not needed \* \* \*." (From the American National Red Cross, Sarah Elizabeth Pickett, 1923.)



ing to \$25,500, to be expended under direction of the governor through such committees and agencies as in his judgment and discretion may be necessary for the judicious expenditure of said funds for relief of flood sufferers.

The expenditure hereby authorized shall be included in the appropriation bill of the present session.<sup>3</sup>

(Laws 1929, S. J. Res. No. 33, p. 559)

Flood: *Resolved*, That \$20,000 be, and is hereby, appropriated out of the general funds of the State for the immediate use of and paid over to the American Red Cross through its proper representatives, and that the same be added to the miscellaneous appropriation bill.<sup>4</sup>

#### West Virginia

(Laws 1927, H. J. Res. No. 22, p. 362)

Concerning the Mississippi Valley flood sufferers: *Resolved*, \* \* \* That West Virginia \* \* \* should contribute such sum or assistance as the Governor of West Virginia might deem proper to suggest, the same to be appropriated out of any fund or funds which may be available.

#### Wisconsin

(Laws 1912, Ex. ch. 21, p. 24)

Flood relief: Appropriates \$35,000 to committee to relieve destitution and suffering caused by flood at Black River Falls on October 6, 1911.

NOTE.—Attempt has been made to include only those acts which appear to be appropriations for emergency relief of personal suffering and destitution.

References: American National Red Cross reports for 1908, 1910, 1911, 1912, 1914, 1915, 1916, 1917–18, 1918–19, 1919–20, 1920–21, 1921–22, 1924–25, 1926–27, 1927–28, 1928–29.

Pickett, Sarah Elizabeth: The American National Red Cross, Century Co., 1923.

Deacon, J. Byron: Disasters and the American Red Cross in Disaster Relief, Russell Sage Foundation, 1918.

#### "A CRUEL AND PITILESS MASTER"

Mr. KING. Mr. President, if I vote for the conference report, I shall do so most reluctantly. This report should be sent back to conference in order that some of the wrongs which it seeks to perpetuate might be corrected. Complaints have frequently been made in this body, when conference reports have been presented, that the conferees disregarded the views of the Senate. I have often thought that the Senate conferees did not sufficiently insist upon carrying out the will of the Senate; and it has almost become proverbial that when a controversy arises between the House and the Senate the latter yields and the House is crowned with victory.

When this bill was before the Senate not long ago a large number of proper and just amendments were adopted. Many of them were adopted only after they had been fully considered. The bill, as it comes back to the Senate from the hands of the conferees, is shorn of nearly every amendment which was adopted when the bill was in the Senate. This is particularly true of the amendments offered to that part of the bill dealing with Indian affairs. Senators will recall that for days the provisions relating to the Indians were discussed, and the amendments offered were adopted after prolonged debate. No explanation is given as to the reason for the rejection by the conferees of these amendments. Apparently the wishes of the Senate were wholly disregarded and, indeed, treated with contumely.

Mr. President, I am unable to understand why the conferees rejected the scores of amendments offered to the Indian appropriation provisions of the bill. Perhaps I should qualify this statement. The Indian Bureau was opposed to these amendments because some of them tended to diminish its power and to curtail its expenditures. That bureau has become so powerful that its demands are acceded to by the National Legislature, and its policies, defective and too often unwise and unjust, receive legislative approval.

Mr. President, a number of investigations have been made of the Indian Bureau and the treatment accorded to the Indians by that Federal organization as well as by the Government. These investigations have proven that the Indians have been robbed and subjected to the most bitter and in-

human treatment. No one can defend the course pursued by the Government toward these helpless wards. Scores of treaties have been made with them only to be violated. Solemn promises upon which they relied have been broken, and the Indian has beheld the ruthless march of the white man over his territory, and I might say over his prostrate form. The Indian Bureau, which should have been a wise and just guardian, has been a cruel and pitiless master, and under its rule the Indians have been subjected to cruel and heartless treatment. Possessed, as the Indians are, of capacity for progress and development, policies have been adopted respecting them which have been insuperable obstacles to their development.

Illuminating speeches have been delivered by the Senator from Oklahoma [Mr. THOMAS] and the Senator from North Dakota [Mr. FRAZIER] during the consideration of the pending bill and upon this conference report, portraying some of the injustices which the Indians have suffered at the hands of the Government, the Indian Bureau, and the white man. Under a resolution of the Senate calling for a comprehensive investigation of the Indian question a committee was appointed of which the Senator from North Dakota was chairman. Pursuant to authority conferred upon it, the committee conducted investigations, not only in Washington but upon many reservations, and obtained the testimony of witnesses, which confirms the charges which I have made, and constitutes an indictment of the Indian Bureau and the Government, to which a plea of not guilty may not honestly be offered.

#### COMPLETE REORGANIZATION NEEDED

It is time, Mr. President, that fundamental changes be made in the laws dealing with the Indians; that new policies be adopted; that a program be followed that will promote the welfare of the Indians and protect not only their persons and lives but also their property. Under present policies their property is being dissipated and their health impaired.

Mr. President, if the life of this Congress were four or five months instead of only two remaining weeks I would plead with the Senate to reject the conference report and send the bill back to conference, instructing the conferees on the part of the Senate to insist upon the amendments adopted by the Senate and incorporated in the bill. Indeed, I should avail myself of all parliamentary weapons to prevent the passage of this bill until many of its provisions were changed. But it is regarded as imperative, because of the situation, that the bill receive Executive approval at as early a date as practicable. Because of this situation I did not object to a limitation of debate to vote upon the conference report at 2 o'clock to-day. With the limited time which is at my disposal I can not take up the various amendments adopted by the Senate and rejected by the conferees nor enter into a discussion of the Indian question. When the bill was before the Senate I discussed some angles of the Indian problem and a number of questions growing out of provisions found in the bill. When the deficiency appropriation bill is before the Senate I may take the opportunity of discussing somewhat in detail some of the questions involved in the Indian problem.

May I say that there would be no Indian problem if the United States had done its duty to the Indians, and the problem—serious and important as it now is—would lose much of its seriousness and complexity if the Government, even at this late date, should make fundamental changes in the bureaucratic methods which now prevail in dealing with the Indians and uproot many of the policies and practices of the present Indian Bureau. What is needed is a drastic revision of the Federal statutes relating to the Indians, and material, and, indeed, drastic changes in the Indian Bureau. The dead timber must be cut away; red tape must be abolished; many changes made in the personnel, and policies adopted calling for cooperation between the Government and the Indians, and which will result in their protection, development, and civilization.

I repeat, there must be fundamental changes in the system under which the Government and the Indian Bureau operate. May I say, Mr. President, that the recommendations which have been made from time to time for changes and

<sup>3</sup> Tennessee Laws 1929, ch. 85, p. 204 (miscellaneous appropriation bill). Appropriates \$25,000 for relief of the flood sufferers of western Tennessee, to be expended upon vouchers approved by the governor.

<sup>4</sup> Appropriates \$25,000 for relief of the flood sufferers of western Tennessee, to be expended upon vouchers approved by the governor. Tennessee Laws 1929, ch. 85, p. 204 (miscellaneous appropriation bill).



reforms have encountered the open and secret hostility of the Indian Bureau. It has resisted investigations and has refused to carry out policies that would have redounded to the advantage and welfare of the Indians.

A few years ago the House of Representatives named a commission, known as the Snyder Commission, to study the various phases of the Indian question. Months were spent by this commission in executing the commission given it by the House. It discovered abuses and wrongs and injustices which bore heavily upon the Indians. Recommendations calculated to rectify some of the wrongs and to effectuate some important reforms were made, but its recommendations were flouted and the condition of the Indians, in my opinion, is worse now than it was when the Snyder Commission made its report. The Frazier committee has pointed out reforms which were imperatively required and changes in the policy of the Indian Bureau and the Government, but their recommendations have been treated with contempt by the Indian Bureau. It was hoped when recent changes were made in the personnel of the Indian Bureau that more humane and progressive and rational policies would be adopted. Those who were expecting changes for the better and in the interest of the Indians find no basis, in my opinion, for such hopes. As I view the situation, the Indian Bureau is as reactionary as at any time in the past, and is as bitterly opposed to proper reforms as were preceding administrations.

The bureau's demands are usually for larger appropriations and for more employees, and the present administration in that regard is following in the paths of preceding administrations. The present Indian Commissioner and his assistant are seeking under the bill which is now before us appropriations far in excess of appropriations ever made in behalf of the Indians; and a careful examination of the purposes for which the appropriations are to be used demonstrate that the interests of the Indians are not better conserved, and certainly their funds are materially depleted. It is only a few years ago that the total Indian appropriations were less than \$10,000,000. In 1923 they were \$10,425,000; but the present bill which, of course, the Indian Bureau is responsible for, demands more than \$28,000,000. I make the prediction now that the present bureau officials in the next Indian appropriation bill will demand more than \$30,000,000.

#### MILLIONS SQUANDERED AND TO BE SQUANDERED

Millions are being squandered on irrigation projects, some of which have been condemned by engineers appointed by the Interior Department to examine them, and some of which it was recommended should be abandoned. Projects were adopted by the Indian Bureau where it was palpable they would fail and where it was certain they would prove of no advantage to the Indians.

In a number of places projects were started where the climatic conditions were such as to make it certain that failure was inevitable. No one can read the Preston-Engle report without reaching the conclusion that millions have been wasted and millions more will be wasted in impracticable Indian projects. Senators may recall that in 1928 Secretary Work named a commission consisting of engineers to make a survey of these so-called Indian projects upon Indian reservations. After an exhaustive survey a report was submitted—known as the Preston-Engle report—which condemned, as I have stated, a number of these projects and revealed that the Indians were receiving little, if any, benefit from any of them. Already more than \$42,000,000 have been expended upon these projects, and the bureau reports that more than \$28,000,000 will be required to complete them. The total acreage irrigated by the Indians is only 113,000, being less than the area irrigated in 1924. Although \$13,700,000 was expended between 1924 and 1929, the estimated cost to complete them has not been reduced, but increased to the extent of more than \$3,270,000. The net cost to the Government and the net reimbursable amount to be met by the Indians and the settlers for each irrigated acre has increased from \$87 in 1924 to \$118 in 1929.

Mr. President, the lands allotted to the Indians under most of these irrigation projects will soon be lost to them

and pass into the ownership of white settlers. I repeat, these irrigation projects are draining the tribal funds of the Indians, and also making heavy demands upon the Treasury of the United States. I make the prediction that the Indians will lose tens of millions of dollars, and the losses of the Government in these projects will be fully as great. My information is that the Indians had in the Treasury of the United States a few years ago funds amounting to more than \$40,000,000. But up to the present time there is to their credit in the Treasury less than \$25,000,000. As I have stated, their allotments are passing from them; their lands are being reduced in area, their tribal funds are being depleted, their resources are being attacked and under the present policies of the Indian Bureau and the Government, within 25 years most of the Indians will be landless and homeless and without any means of support. Though for 140 years they have been the wards of the Government they have not received the training necessary to prepare them to care for themselves and for their families. Millions have been wasted by an inefficient bureaucracy, and the Government seems to have been indifferent to the wrongs which they have suffered.

Mr. NORBECK. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from South Dakota?

Mr. KING. I yield.

Mr. NORBECK. I have listened with a good deal of interest to the remarks of the Senator from Utah. As I understand his view, the worst feature in this bill is the way we deal with the Indians.

Mr. KING. Yes.

Mr. NORBECK. I share the Senator's views. I am perfectly willing to vote for the Arkansas compromise. I am not willing to accept all the other parts of this conference report. I feel that "our policy toward the Indian is entirely too penurious."

#### BUREAU HAS NO CONSTRUCTIVE POLICY

Mr. KING. Mr. President, if it were only penurious I would be less critical; if back of the policy there was any constructive plan for the development and civilization and preservation of the Indians, I should look with some hope to the future; but, in my opinion, the primary cause of the lamentable condition of the Indians is not deficiency appropriations but the unjust and cruel course pursued by the Government toward the Indians and the unsound and too often cruel policies pursued by the Indian Bureau in dealing with them. No broad, constructive policy has been inaugurated to make the Indians self-sustaining, to teach them manual pursuits, and to give them such educational advantages as would qualify them to discharge the duties of citizenship. They have been driven from their reservations and often herded into inhospitable lands. They have been driven from fertile valleys and plains and prairies into deserts and mountain fastnesses where it was almost impossible for human beings to exist. The Government has felt at various times, when they were starving and helpless and often deprived of their property and all means of support, that it was sufficient to furnish them limited rations. If the money which has been so improvidently and unwisely expended had been devoted in preparing them to be self-sustaining and in educating them for ultimate citizenship, there would be no Indian problem to-day and most of the Indians would have answered to the call and measured up to the standard required at their hands. We have oppressed and submerged them, and done, it seems to me, a thousand things to destroy their morale and to prevent them from developing the fine qualities with which they are endowed. They are God's children and have divine qualities and attributes, and have the capacity to reach a high level in the world's civilization. But we have weakened them and destroyed many.

I have reports before me showing not only the loss of property but the ravages of disease resulting from the unwise policies pursued by the Government.

Mr. President, amendments were offered to the Indian appropriation bill which have been eliminated by the conferees, which would have better conserved their interests,



The Klamath Indians protested against appropriations carried in the bill, most of which were absorbed in unnecessary expenses and in meeting the salaries of a horde of employees of the Indian Bureau. The uncontradicted reports show that upon the Klamath Timber Reservation the cost of handling and selling the timber was 3 per cent of the gross receipts derived from the sale of timber. The Senate fixed the limit at 3 per cent but the conferees struck out the provision and fastened upon the Klamath Tribe the obligation to pay 8 per cent of the total amount received from such sales. It was desired by the Indians that policies should be adopted to conserve the timber, but the Indian Bureau pursues a course which means that the timber reserves upon this reservation will be exhausted within a few years.

Mr. President, the Indian Bureau is determined to coerce the Indians into the acceptance of its bureaucratic policies, and amendments adopted by the Senate looking to greater liberty upon the part of the Indians were rejected by the conferees.

Mr. JOHNSON. Mr. President, will the Senator from Utah yield to me to make one statement of two sentences?

Mr. KING. I yield to the Senator.

Mr. JOHNSON. I want simply to emphasize that I can not by my vote assist in establishing an infamous policy such as is endeavored to be foisted upon the Congress to-day in this report.

I once went through a mass disaster. I went through a time when the earth rocked under us, and when people in the city from which I came went to the public squares of the city, and into the presidio, where they were hungry, where they were not clad, where they were cold, where they were suffering, and where disease hung over them. When the United States Government came to the rescue of those people, when it fed them, and when it clothed them during that period, no man living then in that disaster thought of a dole, security for relief expenditures the most hardened would not have dared to suggest, none thought a policy would ever be adopted on the part of our Government at any time when the Government would decline to feed its destitute and its hungry citizens suffering from sudden catastrophe in a great emergency, and when it would decline in that emergency to succor those who needed succor. Such a policy openly declared now, I decline to subscribe to.

Mr. KING. Mr. President, undoubtedly the views expressed by the Senator from California are entertained by other Senators. However, I am not discussing that feature of the conference report. I am briefly calling attention to the provisions of the bill dealing with the wards of the Government, and I am protesting against the provisions of the bill which are so unfair to the Indians and which are dictated by an oppressive Indian Bureau determined to perpetuate its authority and, indeed, to increase its power. I am protesting against the action of the conferees in striking out amendments accepted by the Senate and which would afford some little relief to the Indians. I am protesting against the inhuman and unjust policies of the Government towards the Indians; I am expressing my regret that with the change in administration there has been no change in the bureau's policies. It supports the same old officials with all their faults and mistakes; it retains in office various persons who should be removed; it keeps in authority on the Klamath Reservation an agent whom the Indians do not want and whom the Frazier committee recommended should be removed.

The bureau seeks to coerce the Pueblo Indians into accepting an organization which they do not want and which would deprive them of their own organizations which they have had perhaps for hundreds of years.

I want to make one qualification in these generalizations. Doctor Ryan, who has been placed in a position of responsibility in the bureau, is attempting reforms along educational lines. If left alone I believe his services would be valuable and most helpful to the Indians; but I predict that if he assails the bureaucratic policies he will meet with relentless opposition and will be ultimately driven from the bureau.

The boarding school system is a parasitic growth which has been harmful to the Indians, but which still exists and which I fear will continue to exist. I have before me letters

and statements showing that when reforms have been suggested or that when complaints have been made against oppression and heartless bureaucratic methods by employees of the bureau, the suggestions were ignored, and the complainants either dismissed from the service or rebuked because of their temerity.

#### PUEBLOS AND PUEBLO LANDS

Mr. President, I perceive that the hour is at hand when a vote is to be had upon the conference report so I can not longer retain the floor. I should like to discuss the Pueblo land situation, to which reference has been made by a number of Senators, but can not do so because my time has expired. I ask unanimous consent, however, to insert a brief memorandum bearing on the procedure employed in determining the rights of the Indians in certain Pueblo lands—prepared by Mr. John Collier, who is familiar with the Pueblo situation and who is earnestly seeking to protect the Indians and to secure for them their undoubted rights.

The VICE PRESIDENT. Without objection, it is so ordered.

The following is the matter referred to:

#### THE FACTS AS TO THE REPRESENTATION OF THE PUEBLOS BEFORE THE PUEBLO LANDS BOARD AND THE COURTS

I. George A. H. Fraser, special assistant to the Attorney General, is legal adviser to the Pueblo Lands Board. He is not the partisan attorney for the Indians before the board. He appears in court in the following matters exclusively.

1. When the Pueblo Lands Board decrees that land shall be recovered for the Pueblos, Fraser, for the Attorney General, prosecutes in the Federal Court a suit to quiet title, to carry out the decree of the lands board.

2. When the Indians appeal from the Pueblo Lands Board's award of compensation Mr. Fraser represents the Government in fighting against the Pueblo appeal.

Mr. Fraser in no case has conducted any appeal against the judgments of the lands board.

II. Mr. Walter Cochrane is the attorney employed by the Indian Bureau for general work among the Pueblos. He, as a technical matter, could conduct appeals from the Pueblo Lands Board in behalf of the Indians. But as a matter of record he never has conducted any such appeal.

III. The Pueblo lands act gives the Pueblos a right to appeal from the compensation awards of the lands board and it gives them a further right to bring independent suits to assert their title to lands. The attorneys furnished to the Pueblos by the American Indian Defense Association are Hanna & Wilson of Albuquerque and Barker & Fahy of Santa Fe. Likewise Mr. Dudley Cornell has assisted Judge Hanna.

Without exception, every appeal taken from the Pueblo Lands Board has been taken through these attorneys, who represent the tribes, holding authority from the tribes, though not receiving compensation from the tribes.

The appeals have been as follows:

#### A. Compensation appeals.

There have been four (4) appeals.

1. Nambé appeal: The district court increased the compensation awarded by approximately 30 per cent.

2. Cochiti appeal: The district court set this case for trial with only a few days' notice. The attorney handling it was Dudley Cornell, who was absent in Denver. A notice was put in the mails and did not reach Cornell until after the trial. Hence, no record was made and no appeal could be taken. Thus far a rehearing has not been granted.

3. San Juan appeal: The district court affirmed the lands board and the case is now pending on appeal before the circuit court of appeals.

4. Santa Clara appeal: The district court affirmed the lands board and the case is now on appeal before the circuit court of appeals.

#### B. Appeals on possession of land.

(a) Taos appeal: Taos Pueblo has appealed for the recovery of 425 irrigated acres, this appeal being a contest against the Pueblo Lands Board decree. The white settlers have stipulated the facts which include their acknowledged nonpayment of taxes prior to 1924. This case is now before the circuit court of appeals.

(b) As a result of the refusal by the Attorney General to appeal to the Supreme Court for a construction of the tax-payment provisions of the lands act and of his refusal to hold the cases open until the Supreme Court has decided the Taos case and of his action in losing the cases and passing them to final judgment against the Indians in advance of the Supreme Court's decision, which will be forthcoming, the Pueblos have now filed, through Judge Hanna, independent suits in ejectment, which are suits leveled against all of the land adversely held by whites. Unless the Pueblo land act can be amended to prevent the Government's cases passing final judgment prior to the Supreme Court action, and to extend the Pueblo's period of option in the matter of independent suits, several Pueblos will be obliged to bring these omnibus ejectment suits, with the resulting expense, inconvenience and controversy injurious to the Indians and white settlers alike.



The above are the facts of record, and no argument is contained in them.

It should be added that Mr. Hagerman was the Government witness against the Indian claims in the compensation appeals of San Juan and Santa Clara Pueblos; and that Mr. Fraser represented the Government in opposing the Indians' appeal for increased compensation.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Shipstead
Barkley	Fletcher	La Follette	Shortridge
Bingham	Frazier	McGill	Smith
Black	George	McKellar	Smoot
Blaine	Gillett	McMaster	Steiwer
Blease	Glass	McNary	Stephens
Borah	Glenn	Morrison	Swanson
Bratton	Goff	Morrow	Thomas, Idaho
Brock	Goldsborough	Moses	Thomas, Okla.
Brookhart	Gould	Norbeck	Townsend
Broussard	Hale	Norris	Trammell
Bulkley	Harris	Nye	Tydings
Capper	Harrison	Oddie	Vandenberg
Caraway	Hatfield	Partridge	Wagner
Carey	Hayden	Patterson	Walcott
Connally	Hebert	Phipps	Walsh, Mass.
Copeland	Heflin	Ransdell	Walsh, Mont.
Couzens	Howell	Reed	Waterman
Cutting	Johnson	Robinson, Ark.	Watson
Dale	Jones	Robinson, Ind.	Wheeler
Davis	Kean	Schall	
Dill	Kendrick	Sheppard	

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present. The question is on the adoption of the conference report.

Mr. ROBINSON of Arkansas and others demanded the yeas and nays, and they were ordered.

The Chief Clerk proceeded to call the roll.

Mr. BLAINE (when his name was called). On this question I have a pair with the senior Senator from Nevada [Mr. PITTMAN]. If permitted to vote, I would vote "nay."

Mr. BROOKHART (when his name was called). I have a pair with the senior Senator from Missouri [Mr. HAWES]. I can obtain no transfer and therefore withhold my vote. If permitted to vote, I would vote "nay."

Mr. GILLETT (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. I understand if he were present he would vote as I shall vote and that he has been specially paired on this question. I therefore vote "yea."

Mr. KING (when his name was called). I have a general pair with the junior Senator from New Hampshire [Mr. KEYES]. I understand if he were present he would vote as I intend to vote. I vote "yea."

Mr. NORBECK (when his name was called). On this question I have a pair with the senior Senator from Illinois [Mr. DENEEN]. If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay."

Mr. NYE (when his name was called). Upon this vote I have a pair with the junior Senator from Kentucky [Mr. WILLIAMSON]. If permitted to vote, I would vote "nay." If the junior Senator from Kentucky [Mr. WILLIAMSON] were present, he would vote "yea."

Mr. MORRISON (when Mr. SIMMONS's name was called). On this question the senior Senator from North Carolina [Mr. SIMMONS] has a pair with the Senator from Oklahoma [Mr. PINE]. If the senior Senator from North Carolina [Mr. SIMMONS] were present, he would vote "yea."

Mr. TYDINGS (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. METCALF]. I understand if he were present he would vote the same as I shall vote. Being at liberty to vote, I vote "yea."

Mr. BARKLEY (when Mr. WILLIAMSON's name was called). My colleague the junior Senator from Kentucky [Mr. WILLIAMSON] is unavoidably detained from the Senate. Announcement has already been made that if he were present he would vote "yea."

The roll call having been concluded,

Mr. TOWNSEND. My colleague the senior Senator from Delaware [Mr. HASTINGS] is unavoidably detained from the

Senate. He is paired with the senior Senator from Iowa [Mr. STECK]. If present, my colleague would vote "yea."

The result was announced—yeas 67, nays 15, as follows:

## YEAS—67

Ashurst	Gillett	McGill	Smith
Bingham	Glenn	McKellar	Smoot
Black	Goff	McMaster	Steiwer
Blease	Goldsborough	McNary	Stephens
Bratton	Gould	Morrison	Swanson
Brock	Hale	Morrow	Thomas, Idaho
Broussard	Harris	Moses	Townsend
Capper	Harrison	Oddie	Trammell
Caraway	Hatfield	Partridge	Tydings
Carey	Hayden	Patterson	Vandenberg
Copeland	Hebert	Phipps	Wagner
Dale	Heflin	Ransdell	Walcott
Davis	Howell	Reed	Walsh, Mass.
Dill	Jones	Robinson, Ark.	Walsh, Mont.
Fess	Kean	Robinson, Ind.	Waterman
Fletcher	Kendrick	Sheppard	Watson
George	King	Shortridge	

## NAYS—15

Barkley	Couzens	Johnson	Shipstead
Borah	Cutting	La Follette	Thomas, Okla.
Bulkley	Frazier	Norris	Wheeler
Connally	Glass	Schall	

## NOT VOTING—14

Blaine	Hawes	Nye	Steck
Brookhart	Keyes	Pine	Williamson
Deneen	Metcalfe	Pittman	
Hastings	Norbeck	Simmons	

So the conference report was agreed to.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had agreed to the report of the committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8159) to authorize appropriation for construction at the United States Military Academy, West Point, N. Y.; Fort Lewis, Wash.; Fort Benning, Ga.; and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 3394. An act to amend section 19 of the immigration act of 1917 by providing for the deportation of an alien convicted in violation of the Harrison narcotic law and amendments thereto; and

H. R. 11968. An act to reserve for public use rocks, pinnacles, reefs, and small islands along the seacoast of Orange County, Calif.

## EXECUTIVE MESSAGES

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

## SENATOR FROM SOUTH CAROLINA

The VICE PRESIDENT laid before the Senate the credentials of JAMES F. BYRNES, chosen a Senator from the State of South Carolina for the term commencing March 4, 1931, which were read and ordered to be filed, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November, 1930, JAMES F. BYRNES was duly chosen by the qualified electors of the State of South Carolina a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1931.

Witness: His excellency our governor, I. C. Blackwood, and our seal hereto affixed at Columbia this 13th day of February, A. D. 1931.

I. C. BLACKWOOD, Governor.

By the governor:  
[SEAL.]

W. P. BLACKWELL, Secretary of State.

## PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate petitions of sundry citizens of New Orleans, La., praying for the adoption of the so-called Sparks-Capper "stop-alien representation" amendment, which were referred to the Committee on Immigration.

Mr. SHEPPARD presented a petition of members of the Commerce, Tex., branch, American Association of University Women, praying for the ratification of the world court protocols this winter or spring, which was referred to the Committee on Foreign Relations.



Mr. REED presented petitions of sundry citizens of the State of Pennsylvania, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. BLAINE presented a resolution adopted by the board of directors of the Farmers and Merchants State Bank, of Hortonville, Wis., opposing the passage of legislation providing for the present cash payment of World War endowment insurance policies, which was referred to the Committee on Finance.

Mr. BROOKHART presented a petition of sundry citizens of Corning, Iowa, praying for the passage of the so-called Brookhart bill, being a bill for the payment of annuity to widows of deceased civil-service employees, which was referred to the Committee on Civil Service.

He also presented a petition of sundry citizens of the State of Iowa, praying for the immediate payment in cash of the full face value of adjusted-compensation certificates of ex-service men, which was referred to the Committee on Finance.

He also presented a letter in the nature of a memorial from Jean Loras Circle, No. 181, Daughters of Isabella, of Fort Madison, Iowa, protesting against amendment of the tariff act and criminal code so that literature and material for use in contraception or artificial birth control could be imported and distributed throughout the country, which was referred to the Committee on the Judiciary.

Mr. BROUSSARD presented a letter in the nature of a memorial from the Louisiana Chapter, International Federation of Catholic Alumnae, signed by Violet O'Reilly, governor, New Orleans, La., remonstrating against the passage of Senate bill 4582, permitting the importation, distribution, and sale of contraceptive literature and instruments, which was referred to the Committee on the Judiciary.

#### BIRTH CONTROL

Mr. ROBINSON of Indiana. Mr. President, I have received letters from Mrs. R. Babcock, secretary of the Irvington Catholic Woman's Study Club, 5012 University Avenue, Indianapolis, Ind., and Mayme Speaks and Edna Jay, regent and recording secretary of Mother Theodore Circle, No. 56, of the National Circle Daughters of Isabella, Indianapolis, Ind., protesting against Senate bill 4582.

My constituents, in their communications, ask that their protests be written into the CONGRESSIONAL RECORD. I therefore ask unanimous consent that these letters in full be incorporated in the RECORD and appropriately referred.

There being no objection, the letters in the nature of memorials were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

INDIANAPOLIS, IND., February 9, 1931.

Hon. ARTHUR R. ROBINSON,  
Senate Office Building, Washington, D. C.

DEAR SENATOR ROBINSON: We, as members of the Irvington Catholic Woman's Study Club, a club of 35 members, and as individuals, wish to voice our protest against Senate bill 4582, introduced last May by Senator GILLET, of Massachusetts, and up for public hearing on February 13.

We feel that the passage of this bill would be very dangerous to public health and morals, and would vitally affect the standards of right and public morality of our young people.

We wish to have our protest, with the great many others which we know you will receive, printed in the CONGRESSIONAL RECORD. We earnestly ask you to do all in your power to keep this bill from being passed.

Sincerely yours,

THE IRVINGTON CATHOLIC WOMAN'S STUDY CLUB,  
By Mrs. R. BABCOCK, Secretary.

INDIANAPOLIS, IND., February 12, 1931.

Hon. ARTHUR ROBINSON,  
Senate Office Building, Washington, D. C.

DEAR SIR: We, Daughters of Isabella, Circle, No. 56 (800 members), Indianapolis, Ind., formally enter our protest against bill S. 4582, to amend tariff act (1930) and Penal Code to permit importation, distribution, and sale of contraceptive literature and instruments.

We further request that this protest be printed in the CONGRESSIONAL RECORD.

Very truly yours,

NATIONAL CIRCLE DAUGHTERS OF ISABELLA,  
MAYME SPEAKS, Regent.  
EDNA JAY, Recording Secretary.

#### PROPOSED PURCHASE OF SILVER

Mr. WALSH of Montana. Mr. President, I ask that there be incorporated in the RECORD as a part of my remarks a letter from Chester T. Kennan, of Los Angeles, Calif., relating to the silver question.

There being no objection, the letter was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

LOS ANGELES, CALIF., January 24, 1931.

Senator THOMAS J. WALSH,  
1661 Crescent Place, Washington, D. C.

DEAR SENATOR: In view of the facts that so many countries have now adopted the gold standard and have practically demonetized silver; that there is not enough gold money in the world to do a tithe of the world's business; that the gold money of the world is now chiefly hoarded by the Federal reserve banks of the United States and the banks of France; that owing to the aforesaid general demonetization of silver its value as money and medium of exchange is rapidly vanishing and has already become practically useless in world trade; that many people of many countries of great population are practically deprived of their trading and buying power by their scarcity of both gold and silver, and the practical demonetization of their silver which always has been and is virtually the only medium of exchange among the masses of those populations; and, whereas by all the foregoing reasons the people of the United States are now practically cut off from trading with more than 800,000,000 people on this earth, the author of this article suggests the following remedy:

1. That Congress immediately pass a law authorizing and directing the United States Treasurer to purchase from the mines in the United States 1,000,000,000 ounces of silver at \$1 per ounce.

2. That said 1,000,000,000 ounces of silver be coined into dollars, 50-cent pieces, quarters, and 10-cent pieces of exactly the same weight and fineness as our present dollars, 50-cent pieces, quarters, and dimes.

3. That the United States Treasurer be authorized and directed to ship said coined silver, as fast as possible, to responsible banks in India and China and such other countries as Congress may from time to time designate and to send a representative of the United States Treasury to each of said principal banks of deposit to oversee the distribution of said coin with a view to its becoming a common medium of exchange in said foreign countries, and also to be used as a medium of exchange in exportation and importation of goods. When our importers buy goods from those foreign countries they should pay for the goods with a check against said silver coin in the banks of the foreign country from which the goods come and when an importer in said foreign country buys goods from our country he can send our exporter a check on said silver coin, which our exporter can take to any bank and receive bank credit for it, less a small exchange rate, whatever it may happen to be, if any.

4. That said silver coin, so exported, be redeemable in gold and circulated in said foreign countries on the same basis of value as in the United States (less customary exchange or discount, if any).

5. That the United States Treasury have as remuneration for such services all that said silver coin passes for above \$1 per ounce.

The above plan would make for the miners in the United States a good market for their silver production, and would make a good-paying business for Uncle Sam, and would enable the foreign peoples to buy from us.

For many decades, not to say centuries, the English have bought bar silver from us at a fraction of what it was really worth to them, and then coined it into English money and passed it into circulation in those foreign countries at \$1.25 per ounce and more, and are doing this very thing at the present moment. Four men in London have heretofore, and do now, virtually control the bar-silver markets of the world. By this method the English have always secured an enormous trade in foreign countries.

Most respectfully,

CHESTER T. KENNAN.

#### THE COTTON INDUSTRY

Mr. McKELLAR. I have two very interesting letters on the subject of cotton, which I ask to have printed in the RECORD as a part of my remarks and appropriately referred.

There being no objection, the letters were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

CHERRY COTTON MILLS,  
Florence, Ala., November 19, 1930.

Mr. A. E. HOHENBERG,  
Care of M. Hohenberg & Co., Montgomery, Ala.

DEAR MR. HOHENBERG: In conversation with your Mr. Markstein in our office to-day I incidentally learned you were on the committee of several cotton shippers trying to formulate some plan for the repeal of the iniquitous farm relief bill which was passed by the last Congress.

I am more than pleased to learn that such steps are being taken, for if it is not repealed—and that very soon—the entire structure of the cotton business and cotton textile business, as



well as the farmer himself, will be destroyed. In fact, we are just about gone now, after only about one year of the operations of the Farm Board. I have been in the cotton-spinning business for 36 years and gone through many depressions, but have never yet seen conditions as demoralized and so utterly hopeless as they are now, and every indication points to still worse conditions.

It is very conservatively estimated that the cotton mills have already lost from \$150,000,000 to \$175,000,000 this year, due to the Government going into the cotton business through the operations of its Farm Relief Board. From all indications they are now actively engaged in the cotton business, selling cotton to a favored few at prices much lower than the legitimate cotton dealer can sell it for, or for what the average cotton spinner can buy it for, so how are we going to remain in business? We can not—and we are all facing bankruptcy.

How can the Government give relief to the farmer when they sell his cotton on such a cheap basis and lose millions of dollars and take the tax money we all have to pay to make up the loss, or buy up the cotton by thousands or millions of bales, and apparently store this away and have this hanging over the market all the time and no one knowing when they might likely throw it on the market, or at what price?

Then, too, they are operating in the futures market, all of which has absolutely demoralized the whole business fabric; and as a consequence, almost the entire business world has lost confidence in practically everything and are afraid to do anything and most business concerns are losing what little they have been able to save up in the past, this being more especially so among merchants, cotton men, and textile plants, and due very largely to the operations of the Farm Relief Board.

It is my firm belief that as long as they are allowed to continue our conditions are going to get worse until we are practically all destroyed.

There is so much fear as to the future that no one will hardly dare operate, except on a basis far below normal.

Such legislation is dangerously near Bolshevism, and I regard it as the worst piece of legislation that Congress has ever passed.

I hope your efforts for an early repeal will be entirely successful, for we must have relief from this farm-relief legislation if we survive.

With sincere regards, I am yours very truly,

M. W. DARBY, Treasurer.

NEW ORLEANS, LA., February 9, 1931.

Senator KENNETH MCKELLAR,

Senate Office Building, Washington, D. C.

DEAR SENATOR MCKELLAR: Replying to your letter of February 6: Mr. Legge's testimony covers nobility of purpose, farmers' needs, the public's desire that the farmer be helped, and the failure of the Farm Board, but it does not cover the tragic results to the farmer following the Government's interference with the very delicately balanced facilities upon which the farmer has so long relied for a market outlet for his product.

He does not tell the Senate committee some most vital things. The Federal Farm Board is not responsible for Europe's desire to be independent of American cotton, but it is responsible for changing that desire into very acute action.

Because of Government interference domestic merchants can not now risk normal purchases of cotton; spinners will not purchase stocks ahead, and foreign merchants and spinners prefer to buy foreign cotton whenever and wherever they can.

In other words, the actions of the Farm Board have worked against American cotton in all the markets of the world, and day after day those actions continue to work against American cotton. The result is a rapid loss of markets open to American cotton.

Last year, with the Farm Board in control, the world consumed only 13,000,000 bales of American as against 15,000,000 bales the year before. In 1930-31 the estimated consumption of American is only 11,000,000 bales.

While world consumption of American last year dropped 2,053,000 bales, world consumption of growths other than American increased 1,400,000 bales.

A few years ago world consumption was made up of 70 per cent American and 30 per cent foreign. The world is now consuming more foreign than American cotton.

I am convinced, from many letters I have received from abroad, that rapid substitution of foreign for American cotton will continue so long as the Government holds control of the cotton market.

The ultimate will be the total elimination of export business. That would mean a forced permanent reduction in the production of American cotton of more than 50 per cent, because American mills could not make cloth out of controlled raw cotton and sell it abroad in competition with cloth made out of free cotton.

Such a reduction in production would automatically force just about 1,000,000 cotton farmers out of business.

They would have to seek occupation in competition with other workers or join the bread lines.

Under these circumstances the situation confronting the cotton farmers is more tragic than they themselves yet realize.

Best regards,

Very truly,

WALTER PARKER.

#### REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (H. R. 506) for the relief of

Patrick P. Riley, reported it with an amendment and submitted a report (No. 1617) thereon.

He also, from the same committee, to which was referred the bill (H. R. 3368) for the relief of Joseph Marko, reported it without amendment and submitted a report (No. 1618) thereon.

Mr. PARTRIDGE, from the Committee on Military Affairs, to which was referred the bill (H. R. 589) for the relief of Abram H. Johnson, reported it without amendment and submitted a report (No. 1625) thereon.

Mr. CAPPER, from the Committee on Claims, to which was referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 988. An act for the relief of Franz J. Jonitz, first lieutenant, Quartermaster Corps, United States Army (Rept. No. 1619);

H. R. 2550. An act for the relief of Joseph Pulitzer (Rept. No. 1620);

H. R. 5470. An act for the relief of Mary L. Dickson (Rept. No. 1621); and

H. R. 9215. An act for the relief of Jessie Axton (Rept. No. 1622).

Mr. McMASTER, from the Committee on Claims, to which was referred the bill (H. R. 6259) for the relief of Alma Rawson, reported it without amendment and submitted a report (No. 1623) thereon.

Mr. GLENN, from the Committee on Claims, to which was referred the bill (H. R. 458) for the relief of Catherine Panturis, reported it with amendments and submitted a report (No. 1624) thereon.

Mr. BINGHAM, from the Committee on Appropriations, to which was referred the bill (H. R. 16738) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1932, and for other purposes, reported it with amendments and submitted a report (No. 1626) thereon.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 6119) to provide for an investigation and report of losses resulting from the campaign for the eradication of the Mediterranean fruit fly, reported it with amendments and submitted a report (No. 1628) thereon.

Mr. FESS (for Mr. KEYES), from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 6105) to authorize the construction on Government Island, Alameda, Calif., of buildings required by the Bureau of Public Roads and Forest Service of the Department of Agriculture and the Coast Guard of the Treasury Department, reported it without amendment and submitted a report (No. 1629) thereon.

Mr. FESS also, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 432) increasing the limit of expenditures by the Committee on Indian Affairs in its investigation of the relationship of the Federal and State Governments respecting Indian reservations (submitted by Mr. STEIWER), reported it without amendment.

#### COPYRIGHT REGISTRATION OF DESIGNS

Mr. HEBERT. I report back favorably with amendments from the Committee on Patents the bill (H. R. 11852) amending the statutes of the United States to provide for copyright registration of designs, and I submit a report (No. 1627) thereon. I wish to state that the Senator from Washington [Mr. DILL] reserves the right to file the views of the minority.

Mr. BARKLEY. The Senator has reported back the copyright bill?

Mr. HEBERT. It is one of the copyright bills. It is the designs copyright bill.

Mr. BARKLEY. Will the Senator state when the Vestal copyright bill will be reported?

Mr. HEBERT. The committee is actually in session now considering the many amendments proposed to that meas-



ure. The committee hopes to be able to report upon it, perhaps, early next week.

The VICE PRESIDENT. The bill will be placed on the calendar.

#### REPORTS OF NOMINATIONS

As in executive session,

Mr. SMOOT, from the Committee on Finance, reported favorably the nomination of Curtis M. Johnson, of Rush City, Minn., to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn., to fill an existing vacancy, which was placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations, which were placed on the Executive Calendar.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. VANDENBERG:

A bill (S. 6156) to authorize the Secretary of War to construct a water main to Selfridge Field, Mich.;

A bill (S. 6157) to authorize an appropriation for the construction of a building at Selfridge Field; and

A bill (S. 6158) to authorize an appropriation for the completion of a sea wall at Selfridge Field, Mich.; to the Committee on Military Affairs.

By Mr. HATFIELD:

A bill (S. 6159) for the relief of Joseph E. Myers; to the Committee on Military Affairs.

By Mr. CAREY:

A bill (S. 6160) to remove certain restrictions on the expenditure of funds on the distribution system, Pilot Butte division, Riverton reclamation project, Wyoming; to the Committee on Irrigation and Reclamation.

By Mr. NORBECK and Mr. HOWELL:

A bill (S. 6161) granting the consent of Congress to Missouri Valley Pipe Line Co., of Iowa, to construct, maintain, and operate a pipe-line bridge across the Missouri River; to the Committee on Commerce.

#### HOUSE BILL REFERRED

The bill (H. R. 16969) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1932, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

#### INTERNATIONAL EXPOSITION OF COLONIAL AND OVERSEAS COUNTRIES

Mr. COPELAND submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 416) to increase the amount authorized to be appropriated for the expenses of participation by the United States in the International Exposition of Colonial and Overseas Countries to be held at Paris, France, in 1931, which was referred to the Committee on Foreign Relations and ordered to be printed.

#### COLVILLE RESERVATION (WASH.) PUBLIC SCHOOL

Mr. DILL. Mr. President, day before yesterday I made motions regarding the bill (H. R. 11675) to authorize the issuance of a patent in fee for certain land and buildings within the Colville Reservation, Wash., for public-school use, a motion for reconsideration of the bill and a motion to have the papers brought back from the House. I find that the Speaker of the House has already signed the enrolled bill, and it is necessary to make a motion to ask the House to rescind the action of the Speaker in signing the bill and to return the engrossed bill to the Senate. I desire to make that motion.

The PRESIDING OFFICER (Mr. Fess in the chair). That order will be entered.

#### GUILT FOR THE WORLD WAR

Mr. SHIPSTEAD. I ask unanimous consent to submit a resolution, and have it printed in the Record and lie on the table.

There being no objection, the resolution (S. Res. 450) was read and ordered to lie on the table, as follows:

*Resolved*, That it is the sense of the Senate, in the light of documentary historical evidence accumulating since 1919, that the Government of the United States ought to take such steps as will make it clear that it no longer will permit itself to be regarded, even by implication, under the terms of the treaty of Berlin of June, 1921, as acquiescing in the formal charge made in article 231 of the treaty of Versailles to the effect that Germany alone was responsible for the war terminated by those treaties.

#### APPOINTMENTS IN THE CLASSIFIED CIVIL SERVICE

Mr. HEFLIN (by request) submitted the following resolution (S. Res. 451), which was referred to the Committee on the Judiciary:

Whereas William C. Deming, president of the Civil Service Commission, and his experts, Dr. Morgan, Mr. Bartlett, John T. Doyle, advised the Senate Civil Service Investigating Committee, and Commissioners Wales and Dell stated in reports, that the civil service law for apportionment of Federal positions at Washington, D. C., among the States and the District of Columbia on the basis of population is "discretionary" as to appointment; that neither the State quota law nor statutory notice for discharge of civil-service employees provided by section 6, act of August 24, 1912, apply to "reductions of force," and under which ruling by the Civil Service Commission thousands of permanent civil-service employees from States whose quotas are in arrears have been discharged since November 11, 1918, by notice that their services were not needed because of "reduction of force," while the District of Columbia, Virginia, and Maryland received 15,173 additional appointments in excess of their quotas since November 11, 1918, as shown by Senate Document 224; and Senate Document 263 shows that some of the State people who were discharged in 1926 under "reduction of force" were employed at "reduction in salary" of \$300 per year, which indicates that the notice "reduction of force" was fraudulent: Now, therefore, be it

*Resolved*, That the president of the Civil Service Commission, in accordance with section 354, Revised Statutes, secure for the Senate by February 20, 1931, an opinion from the Attorney General on the following:

1. Is apportionment of classified civil service positions at Washington among the States and District of Columbia a matter of discretion with the Civil Service Commission, or does the word "shall" make the law mandatory?

2. Since appointments are provided for on the basis of population, is it not unlawful to deprive the States of their permanent appointments by "reduction of force" and give the States' positions to residents of the District of Columbia, Virginia, and Maryland in excess of their quotas?

3. Is it not fraud to give a notice "reduction of force" when additional appointments were made and some discharged were reemployed at reduced salaries, as shown by Senate Document 263?

4. Is it not the duty of the Civil Service Commission under section 2 of the civil service law of January 16, 1883 (22 Stat. 404), to have the apportionment requirements of the civil service law carried into effect, both as to appointments and reductions, since reduction is incident to appointment?

5. Does not the statutory notice required by section 6, act of August 24, 1912 (37 Stat. 555), of the reason in writing why a civil-service employee's discharge would promote the efficiency of the service apply to "reduction of force," as no exception or any other provision is made for "reduction of force"?

6. Can the Civil Service Commission or the President exceed the authority of Congress to deprive any State of its quota in the Federal service at Washington and give its positions to residents of the District of Columbia, Virginia, and Maryland or any other State in excess of its quota?

#### REDUCED FARE FOR DISTRICT SCHOOL CHILDREN

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 12571) to provide for the transportation of school children in the District of Columbia at a reduced fare, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CAPPER. I move that the Senate insist on its amendment, accede to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. CAPPER, Mr. BLAINE, and Mr. COPELAND conferees on the part of the Senate.

ANDREW J. BROWN

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the amendment of the Senate to the bill (H. R. 9872) to extend the benefits of



the employees' compensation act of September 7, 1916, to Andrew J. Brown, a former rural mail carrier at Erwin, Tenn., which was, in line 6, of the Senate amendment, after the name "Tennessee," to insert a colon and "Provided, That no benefits shall accrue hereunder until after the enactment of this act."

Mr. HOWELL. I move that the Senate concur in the amendment of the House to the Senate amendment.

The motion was agreed to.

JOHN M. FLYNN

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the amendment of the Senate to the bill (H. R. 3644) for compensation in behalf of John M. Flynn, which was, in line 8 of the Senate amendment after the name "Illinois," to insert a colon and "Provided, That no benefits shall accrue hereunder until after the enactment of this act."

Mr. HOWELL. I move that the Senate concur in the amendment of the House to the Senate amendment.

The amendment was agreed to.

#### PRINTING OF REPORT ON COMMUNIST ACTIVITIES

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the concurrent resolution (S. Con. Res. 38) to provide for the printing of additional copies of the report of the special committee to investigate communist activities in the United States, which were on page 1, line 2, to strike out "thirty-three" and insert "twelve"; on page 1, line 6, to strike out "twenty-five" and insert "four"; on page 1, line 7, after the word "of," to insert "the House"; and on page 1, line 7, to strike out all after the word "of" down to and including the word "Representatives," in line 8.

Mr. MOSES. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

#### THE WORLD COURT

Mr. GILLET. Mr. President, I ask to have printed in the RECORD an address by Hon. George W. Wickersham, recently delivered before the George Washington University Law School, on the subject of the World Court.

There being no objection, the address was ordered to be printed in the RECORD.

Mr. Wickersham said:

In an address before the Council on Foreign Relations, in New York City, delivered March 15, 1928, the Hon. Frank B. Kellogg, then Secretary of State, declared, "The Government of the United States will never be a laggard in any effective movement for the advancement of world peace . . . . Unfortunately the facts of history do not support this proud boast. The history of the efforts of scholars, statesmen, and many citizens to bring about the adherence of our Government to the World Court, established for the settlement of controversies between nations, is a striking example of great lagging on our part in one of the most effective movements in all history for the advancement of world peace."

From its very foundation, the Government of the United States has been a consistent advocate of the principle of settling differences between nations by arbitration, although Executive efforts to bring about general treaties of arbitration time and again have failed because of opposition in the Senate. Notwithstanding this, many special treaties of arbitration have been entered into by our Government, resulting in the peaceful settlement of important controversies. But the defects of arbitral procedure are obvious, and because of those defects the thoughts of statesmen have turned to the conception of a permanent court of international justice.

John Hay, Secretary of State in the Cabinet of President McKinley, in his letter of instructions to the American delegates at the First Hague Peace Conference in 1899, gave expression to this idea when he wrote:

"The long-continued and widespread interest among the people of the United States in the establishment of an international court . . . . gives assurance that the proposal of a definite plan of procedure by this Government for the accomplishment of this end would express the desires and aspirations of this Nation. The delegates are therefore enjoined to propose, at an opportune moment, the plan for an international tribunal, . . . and to use their influence in the conference in the most effective way possible to procure the adoption of its substance or of resolutions directed to the same purpose."

This proposal failed, but progress was made by the creation of an arbitral tribunal for the consideration of questions which might be submitted to it from time to time by agreement of the nations concerned. This tribunal was composed of arbitrators chosen for each proceeding, from a panel made up of four persons nominated

by each nation signatory to the agreement reached at that conference. While called a court, it was merely a board of arbitration, lacking that continuity of organization and function which is the essential nature of a court. It was a step toward the goal of those concerned with the establishment of an adequate judicial body for the determination of international controversies; but only a step.

At the Second Hague Peace Conference in 1907 another effort was made to develop the arbitral tribunal into a real court. Secretary of State Root (with the approval of President Roosevelt) instructed the delegates to that conference, as follows:

"It should be your effort to bring about . . . a development of The Hague tribunal into a permanent tribunal composed of judges who are judicial officers and nothing else, who are paid adequate salaries, who have no other occupation, and who will devote their entire time to the trial and decision of international causes by judicial methods and under a sense of judicial responsibility. These judges should be selected from the different countries in order that the different systems of law and procedure and the principal languages shall be fairly represented. The court should be of such dignity, consideration, and rank that the best and ablest jurists will accept appointments to it, and that the whole world will have absolute confidence in its judgments."

That conference approved a general scheme for the establishment of a court of international justice, but failed to agree upon a method of selecting the judges which was satisfactory to both large and small States. The effort to establish the court failed on account of that circumstance.

In the naval appropriation act of August 29, 1916, a program of extensive naval construction was authorized, but it was declared "to be the policy of the United States to adjust and settle its international disputes through mediation or arbitration, to the end that war may be honorably avoided," and the President therefore was authorized, at an appropriate time, not later than the close of the war in Europe, to send delegates to a conference, charged with the duty of formulating a plan for a court of arbitration or other tribunal, to which disputed questions between nations shall be referred to adjudication and peaceful settlement, and if at any time before the construction authorized by the act should have been contracted for there should have been established with the concurrence of the United States "an international tribunal or tribunals competent to secure peaceful determinations of all international disputes, and which shall render unnecessary the maintenance of competitive armaments," then the President was authorized to suspend such naval expenditures as were inconsistent with the engagements made in the establishment of such tribunals.

It is familiar history that the covenant of the League of Nations, which was embodied in the peace treaties negotiated at the close of the World War, contained a provision for the establishment of a world court in the following language:

"ART. 14. The council [of the League of Nations] shall formulate and submit to the members of the league for adoption plans for the establishment of a Permanent Court of International Justice. The court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The court may also give an advisory opinion upon any dispute or question referred to it by the council or by the assembly."

Shortly after the organization of the league the council invited 10 jurists of international repute (including the Hon. Elihu Root) to prepare a plan for such a court. That body found in the organization of the league a means of overcoming the obstacles to a satisfactory method of choosing judges that had baffled The Hague conference of 1907. It was provided that the members of each national delegation represented in The Hague arbitral tribunal should nominate not more than four persons, not more than two of whom should be of their own nationality, from among whom the assembly and the council should proceed, independently of each other, to elect judges, those candidates who obtained an absolute majority of votes in the assembly and the council to be considered elected. In the assembly all states, great and small, have an equal voice. In the council the great powers predominate. By the method adopted, therefore, each class of states was protected from the undue dominance of the other, and thus was removed what at The Hague conference had been found to be an insuperable obstacle to the establishment of the court. The first panel of judges by this method was duly chosen and the court so constituted organized in 1920. It now has completed 10 years of activities, during which it increasingly demonstrated its usefulness and won the esteem of men. Three distinguished Americans have sat as judges of the court—John Bassett Moore, Charles Evans Hughes, and Frank B. Kellogg.

The permanent court was constituted by a "protocol of signature," or treaty, whereby the states, members of the League of Nations, declared their acceptance of an annexed document called "statute," which in effect is the constitution of the court, the signatures to the protocol being required to be ratified by the proper authorities of each state. The protocol, by its terms, was to remain open for signature by the members of the League of Nations and the states mentioned in the annex to the covenant of the league which includes the United States. Unless a signatory chooses to expressly accept what is known as the optional clause of the statute, such acceptance binds it to nothing but the payment of its proportional share of the expenses of the court. It is not bound to submit to the jurisdiction of the court except as and when it shall specifically agree so to do. The court has jurisdiction only of cases which the parties refer to it and matters specially provided for in treaties and conventions in force.



In February, 1923, President Harding sent to the Senate a message, based upon the recommendation of Secretary of State Hughes, asking the advice and consent of the Senate to the adherence of our Government to the protocol of the court, subject to four expressed conditions. No action was taken on this recommendation.

In December, 1923, President Coolidge renewed the recommendation of his predecessor. He summed up the question in his characteristically terse phrase as follows:

"The proposal is not a partisan question. It should not assume an artificial importance. The court is merely a convenient instrument of adjustment to which we could go but to which we could not be brought."

The platforms of both the Republican and the Democratic parties adopted at their national conventions in 1924 declared for the adherence of the United States to the court. The Republican platform of 1928 briefly declared its approval of the foreign policies of President Coolidge.

Not until January, 1925, however, did the Senate committee take up the consideration of these recommendations. Finally, on January 27, 1926, the Senate adopted a resolution advising and consenting to the adherence of the United States to the court, but subject to five reservations. The Senate, in its resolution of January 27, 1926, added to these, making five resolutions in all, and out of these—especially the fifth—has arisen the delay in adherence and the pending question upon which final action by the Senate is necessary.

These resolutions briefly are (1) that adherence to the court shall not involve any relation on the part of the United States to the League of Nations; (2) that the United States may participate in the election of judges on an equality with other states; (3) that the United States shall pay its fair share of the expenses of the court; (4) that the United States at any time may withdraw its adherence to the protocol of the court and that the statute may not be amended without its consent; and (5) that the court may not render any advisory opinion except publicly after due notice to all states adhering to the court and after public hearing or opportunity for hearing given to any state concerned: "Nor shall it without the consent of the United States entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest."

A word of explanation about the last reservation is necessary.

The statute of the court makes no specific mention of advisory opinion, but article 36 provides that "the jurisdiction of the court comprises all cases which the parties refer to it and all matters specially provided for in treaties and conventions in force." It is by virtue of this clause that the provision of article 14 of the covenant of the League of Nations—a part of treaties in force—becomes part of the jurisdiction of the court.

As already mentioned, article 14 provides for the establishment of a court which, besides the hearing and determination of international disputes, may also give advisory opinions upon any dispute or question referred to it by the council or the assembly of the League of Nations.

Now, it is quite probable that the framers of the provision intended that the court should render opinions on request in the same way the Supreme Court of Massachusetts and the highest courts of several other American States always have done.

When the judges of the permanent court met to frame rules to govern its procedure, they, however, rejected this idea, and adopted rules providing that questions upon which advisory opinions are asked should be laid before the court by written request from the council or the assembly of the League of Nations, whereupon the registrar of the court should give notice of the request to the member states of the league, as well as to all other states entitled to appear before the court, which include the United States and all other states named in the annex to the covenant; that the court should receive written statements from any of these states and hear oral argument when desired; and that the advisory opinion should be read in open court on notice to the secretary general of the league and the states and any international organizations concerned.

The procedure thus adopted is very different from that followed by the American States whose courts render opinions on request of the governor or the legislature. It amounts in effect to the rendering of a declaratory judgment, a procedure which has been adopted in a number of the States of our Union.

Article 59 of the statute of the court provides:

"The decision of the court has no binding force except between the parties and in respect to that particular case."

This is in conformity with the jurisprudence prevailing on the continent of Europe which does not recognize the doctrine of stare decisis. An advisory opinion of the court has even less force than a decision. It is merely what its term imports—an "advisory" opinion, rendered after hearing argument on the part of the interested parties, and delivered precisely as a judgment would be rendered in a litigated case.

This jurisdiction in practice has proved very useful and has aided in the settlement of a number of difficult questions. By securing an authoritative pronouncement of the law states have been able to settle controversies without litigating over contentious controversies concerning facts. The court has refused to render an opinion which involves rights and interests of any state which is not a member of the league and objects to the court acting.

For some reason which I never have been able to understand, certain Members of the United States Senate seized upon this jurisdiction to render advisory opinions as something that con-

cealed a deadly menace to American interests and which presented serious objections to our adherence to the court. To be sure, the court now is free to render advisory opinions which might involve matters in which we have or claim an interest, and the fact that we might help to elect judges and pay part of the cost of maintaining the court would not seem to add to the effect upon our national interests of any expression of opinion by the court. The Senate, however, in its resolution imposed the following condition upon our adhesion:

"5. That the court shall not render any advisory opinion except publicly after due notice to all states adhering to the court and to all interested states and after public hearing or opportunity for hearing given to any state concerned"—which the court rules already provided—but also—

"Nor shall it, without the consent of the United States, entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest."

The fourth reservation empowers the United States at any time to withdraw its adherence to the court and provides that the statute of the court shall not be amended without its consent.

Neither the original protocol nor the statute of the court contained any provision allowing any of the signatory powers to withdraw from its adherence to the court.

In September, 1926, a meeting of the representatives of a large number of the signatory powers was held in Geneva at which the Senate resolutions were considered. In a document which they drew up at that time it was set forth that, while the conference was confident that the United States Government entertained no desire to diminish the value of advisory opinions in connection with the functioning of the league, yet the terms employed in the fifth reservation were of such nature as to lend themselves to possible interpretation which might have that effect, and that it therefore was desirable that the manner in which the consent provided for in the second part of the fifth reservation to be given should form the object of a supplemental agreement which would insure that the peaceful settlement of future differences between members of the league would not be made more difficult, and they suggested that the manner in which the consent is to be made should be the subject of an understanding to be reached by the United States Government with the council of the league.

In response to this document, Secretary Kellogg suggested that possibly the interests of the United States might be protected in some other way or by some other formula than that suggested by the states in the meeting referred to. Thereupon the signatory states invited a group of jurists, including Mr. Elihu Root, to meet in Geneva in March, 1929, to consider the subject. It appeared "that the hesitation felt by the delegates to the conference of 1926 as to recommending acceptance of those conditions was due to apprehensions that the rights claimed in the reservation formulated by the United States might be exercised in a way which would interfere with the work of the council or the assembly and embarrass their procedure." The task of the committee of jurists as they stated was to discover some method of insuring that neither on the one side nor the other should these apprehensions prove to be well founded.

The jurists recommended that the provision in the fourth reservation that the United States might at any time withdraw its adherence to the court protocol should be accepted and that in order to insure equality of treatment the signatory states, acting together and by not less than a majority of two-thirds, should possess a corresponding right to withdraw their acceptance of the special conditions attached by the United States to its adherence to the protocol and that in this way the status quo ante could be reestablished if it were found that the agreement reached was not yielding satisfactory results. The conference further recommended acceptance of that part of the fifth reservation which provides that the court shall not, without the consent of the United States, entertain any request for any advisory opinion touching upon any dispute in which the United States has or claims an interest, but it pointed out that by the form of this reservation its incidence was upon the court alone. It did not impose any prohibition or demand upon anyone who might request an advisory opinion or who might be interested in them and made no provision as to how it might be enforced. The conference agreed to the express acceptance of that provision which would make it part of the statute controlling the conduct of the court, but suggested certain procedural provisions relating to matters entirely outside the prohibition of that reservation, namely, as to how the matter should be brought to the attention of states interested before formal request was submitted to the court. These requests for advisory opinions normally arise after questions have been raised by discussion among member states which reach a certain point, when it becomes probable that if a ruling upon a controlling question of law involved could be secured from the court the controversy might be adjusted. The United States not being a member of the League of Nations, and its representative therefore not being present at the discussions, nor informed concerning them, but merely receiving notice of an application to the court for an opinion on a given proposition, might, with imperfect information as to precisely what was involved, file an objection, which would, in effect, deprive the court of jurisdiction to advise on the question, and thus seriously interfere with the adjustment of some important matter.

It was therefore suggested that the United States should be admitted to participate upon equality with the signatory states, members of the League of Nations, represented in the council or in the assembly, in any proceeding of the council or the assembly for the election of judges for the permanent court, the vote of the



United States being counted in the number of absolute votes required by the statute; that no amendment of the statute might be made without the consent of the contracting states; that the court shall render advisory opinions only in public session, after notice and opportunity for hearing substantially as provided in the existing rules of the court; and that, as a matter of procedure, with a view to insuring that the court should not, without the consent of the United States, entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest, the secretary general of the League of Nations shall, through any channel designated for that purpose by the United States, inform the United States of any proposal before the council or the assembly for obtaining an advisory opinion from the court, and thereupon, if desired, an exchange of views as to whether an interest of the United States is affected shall proceed with all convenient speed between the council or the assembly and the United States; that whenever a request for an advisory opinion comes to the court, the registrar shall notify the United States, among the other states mentioned in the rules of the court, stating a reasonable time limit fixed by the procedure of the court in which written statements by the United States concerning the request will be received. If for any reason no sufficient opportunity for an exchange of views upon such request should have been afforded, and the United States advises the court that the question upon which the opinion of the court is asked is one that affects the interest of the United States, proceedings shall be stayed for a period sufficient to enable such exchange of views between the council or the assembly and the United States to take place. That with regard to requesting an advisory opinion in any such case there shall be attributed to an objection of the United States the same force and effect as attaches to a vote against asking for the opinion given by a member of the League of Nations in the council or the assembly.

It is a matter which is yet unsettled in the league as to whether or not a request for an advisory opinion, made in either the council or assembly, must receive the unanimous vote of the states represented, or whether such a request may be made by a majority vote only. Members of the league were unwilling to have settlement of this question forced at the present time. Until now, all requests have been made by unanimous vote, but until the question should arise as to whether or not a majority vote only is sufficient, it was felt unwise to finally accept the conclusion that unanimity was requisite. Therefore the proposed agreement provides that the vote of the United States should have precisely the effect attributed to it which is ascribed to the vote of every other state member of the league. It is then further provided in the proposed agreement that if, after the exchange of views above referred to, it should appear that no agreement can be reached and the United States is not prepared to forego its objection, either the United States or the signatory powers represented by a majority vote may withdraw from this supplemental protocol, thus restoring the status quo ante; and that this withdrawal might be done "without any imputation of unfriendliness or unwillingness to cooperate generally for peace and good will." These provisions were embodied in an agreement or protocol supplemental to the original protocol of the court which has been accepted by the President and is now before the Senate. The sum and substance of the matter therefore is this: Under fifth reservation, accepted by the signatories, if the United States objects on the ground that it has or claims an interest in the subject of the inquiry, and is unwilling that the court should act on the request, that ends the matter.

But when a proposal to submit a question to the court comes up in council or assembly, notice shall be given to the United States and exchange of views had. The objection of the United States to requesting the opinion is to be given the same force and effect as that of any other state represented in the council or assembly. If unanimity is required, objection by the United States would end the matter. If not, and the majority vote for it and the United States still objects, it may exercise the right to withdraw its adherence to the court and the status quo ante is reestablished. On the other hand, if it persists in its objection and so notifies the court, the other signatory powers may exercise their right to withdraw from the protocol, and the status quo ante is restored. The exercise of this right of withdrawal, it is stipulated, shall not be deemed an unfriendly act on the part of the acting state. As Mr. Root said in his testimony before the Senate committee:

"That is all there is in this protocol in the way of terms and conditions upon which acceptance of the fifth reservation is predicated," and, he added, "it seems to me ludicrously small for so much fuss to be made." One might observe with respect to the whole matter in the language of Alexander Pope:

Such labor'd nothings, in so strange a style,  
Amaze th' unlearned and make the learned smile.

All this pother over advisory opinions is the last obstacle in the way of the full American recognition of this great court, which largely is the product of the genius of our own statesmen, and the fulfillment of recommendations made by seven Presidents and five Secretaries of State of the United States. In 1920, the establishment of the court was experimental and adherence was an act of faith. To-day the court is an actuality. Its place in world judicial institutions is established, and American recognition is but the recognition of an existing and most important organism for the maintenance of world peace.

By the pact of Paris, executed with the advice and consent of the United States Senate on January 15, 1929, to which more than 50 governments have given their adherence, all of the signatories, including our own Government, solemnly renounce

war as an instrument of national policy in their relations with each other, and agree that the settlement or solution of all disputes or conflicts of whatever nature or whatever origin that they may be, which may arise among them, shall never be sought except by pacific means.

Questions and controversies between nations are of daily occurrence. Many of them, most of them, are settled through the normal processes of diplomatic intercourse and exchanges of views and opinions between foreign offices. The remaining number may be adjusted through processes of conciliation, particularly where the dispute is between neighboring states, but there remain from time to time controversies of such a character that they do not yield to friendly adjustment, and resort must be had to the judicial process. Arbitration, which has provided the means of settling many of such questions, often is unsatisfactory and leaves a soreness in defeat, but where the question is one which is susceptible of determination by the application of the principles of law or the construction of treaties, a decision by a court of justice, composed of eminent lawyers devoting their entire time to the trial and decision of international causes by judicial methods and under a sense of judicial responsibility, furnishes by far the most satisfactory method of determination. The United States made a prodigious start toward the abolition of war when it accepted the terms of the pact of Paris. It surely can not afford to longer hesitate at the approval and acceptance of such a judicial tribunal for the determination of international controversies as the Permanent Court of International Justice.

#### LEGISLATIVE APPROPRIATIONS

Mr. JONES. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 16654) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1932, and for other purposes.

Mr. KING. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KING. Under the rule is there any precedence to be given to appropriation bills over the consideration of a motion to reconsider?

The VICE PRESIDENT. No preference is to be given except that when a Senator is recognized he is entitled to make whatever motion he pleases and no substitute can be offered for the motion to proceed to the consideration of an appropriation bill.

Mr. KING. Is the motion of the Senator from Washington debatable?

The VICE PRESIDENT. It is debatable.

#### CAUSES AND RESULTS OF COMMUNISM—ADDRESS BY SENATOR ODDIE

Mr. GOFF. Mr. President, I take great pleasure in presenting for the RECORD an address delivered by the Hon. TASKER L. ODDIE, of Nevada, before the Legion of Honor at Philadelphia, Pa., on the evening of February 12, 1931. In the course of his remarks the distinguished Senator from Nevada discusses and analyzes the causes and the direct results of communism. It is a very appealing dissertation. It goes into the question of world unrest, impoverishment, and misinformation. It shows that the public mind is poisoned against the safeguards of free institutions. Man-kind is thinking too much of its rights and too little of its duties. We are justified in seeking our rights, but not in seeking them selfishly and blindly.

The issue is moral, economical, constitutional, and not political. We must cease thinking in terms of class and begin to think and determinedly act in terms of impartial justice. The man who works with head and hands owes an obligation. The man with capital owes an even greater obligation. Every person, even the defective demagogue, is a national servant; otherwise he has no rights and is entitled to no consideration under our form of government. I am not an alarmist when I say that America is threatened and certain superintellectuals are inoculated by and with the poison of communism. This is a question which must be met and the sooner we meet and grapple with it the better for all concerned. I commend this very carefully thought-out discourse to every man and woman who believes in constitutional government and who loves the American home and its God-fearing fireside.

I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

It is always an honor to be invited to participate in the celebration of the birth of the great emancipator, Lincoln. No one under-



stood so well as he the conflict between slavery and freedom. No one realized better than he that slavery and freedom could not both endure—that a nation could not long exist part slave and part free.

The world to-day is menaced by a form of organized slavery on a scale far greater than when the war between the States was fought. Then the problem of slavery was wholly domestic; now it is international, and the world can not long exist part slave and part free.

Confronted as the world is to-day by the most thoroughly organized plan in history to create world revolution, it is more than an honor; it is a patriotic privilege of the highest order to be invited by the Legion of Honor on this most auspicious occasion to speak on the war against communism. May we receive the inspiration of the great President we meet here to honor and rededicate ourselves to the welfare of the Nation and the cause of humanity throughout the world.

The Soviet Government has recently put into effect decrees that leave no room for doubt that the people of Russia are compelled to accept wages arbitrarily set by the State. There is no competitive or free labor market in Russia. There is but one employer, the Soviet Government, which sets the terms and conditions of employment, and no system of slavery on a more colossal scale has ever been conceived or organized.

By confiscating private property the Soviet Government has further destroyed the freedom of the individual. The issuance of fiat currency, becoming more and more worthless, is another device designed effectively to rob the Russian people and maintain serfdom and extend the system of slavery. The incentive of the individual to accumulate from the savings of his labor has been completely destroyed.

Furthermore, religious worship in any form is punishable as a political offense against the Soviet Government. To become a communist one must subordinate God to the state. Nothing could be conceived more directly opposed to individual freedom and free institutions than the code of communism. Communism is the antithesis of freedom. Communism is itself slavery.

The Russian people who are being crushed under the spying police and military systems of the soviet realize that slavery in the most offensive form is their lot and with no avenues of escape but exile, starvation, or death. To many death by execution would be a welcomed substitute for life in the Cheka prison camps. Food cards are given only to those who accept communism and promise allegiance to the Soviet Government. By this edict starvation, a slow, tortuous form of death, is the only alternative to the acceptance of the code of communism.

The central objective of the communists is world revolution and the dominance of the world by the establishment of soviet commodity monopolies. Much progress has been made. Soviet commodity dumping operations in the world's markets have been effective in undermining commodity prices and the present economic depression is in no small degree a result. Furthermore, the continuance of soviet dumping of commodities at artificially low prices is making recovery from the world depression not only difficult but impossible.

The dislocation of world trade resulting from soviet dumping has created a more intensive competition for gold, further influencing commodity price declines. Not only has the soviet dumping program adversely affected silver exchange, seriously impairing the purchasing power of the Orient, but also the activities of the red army have limited exports so that China is compelled to sell silver to complete payment for her imports, further decreasing the price of silver to the lowest level in history.

The soviet attack on the present economic system has been and is now being intelligently directed against its foundations—the gold standard in the Occident and the silver standard in the Orient. The purchasing power of both gold and silver standard countries has been seriously reduced, and, if soviet dumping is allowed to continue, still more serious reductions may be expected. Unemployment and poverty will expand throughout the world unless an economic quarantine is effectively established against Soviet Russia.

The soil of unemployment, poverty, and distress is fertile for the planting and growth of soviet propaganda. The adoption of constructive measures to regain full-time employment and normal prosperity are the best possible defenses against the menace of communism. There is no more constructive remedy than prohibiting the importation of soviet products into the United States.

The domestic manganese industry is shut down and the coal and glue industries, of particular interest to the State of Pennsylvania, are seriously affected by soviet dumping. One of the largest steel plants in the world is being erected in Russia, and in the not distant future will be dumping steel products on this market. The American steel industry will then be compelled to ask that an embargo on imports from Soviet Russia be established. There are other important products fundamental to the prosperity of this country, such as wheat, gluten, lumber, pulpwood, wood pulp, matches, etc., which have been and are now adversely affected by soviet dumping. Day by day the list of products suffering from these dumping operations is extended and there is no end in sight.

The enactment of a law prohibiting all soviet imports would result in expanding employment in all these industries and in increased tonnage for the railroads. Such a law is, therefore, a most important unemployment relief measure, and should be passed at this session of Congress. If allowed to make further inroads on our industries, the soviet dumping campaign may

gain such impetus that its momentum could not be readily checked next year.

As a specific example of the paralyzing effect of soviet dumping let me analyze the situation of the domestic manganese industry. In the 1930 tariff bill I had the honor of leading the fight for a duty on manganese ore, and, consequently, am informed of the details of this industry. Just as soon as the tariff act was passed manganese operations were expanded, and on the basis of ore developments and plants actually installed for producing metallurgical grade ore the industry was prepared to supply 200,000 tons of a grade of ore superior, both in manganese content and in freedom from objectionable impurities, to that exported to this country by the Soviet Government from the Georgian deposits. The deposits being operated by the soviet are located in the Republic of Georgia and were confiscated by them.

The American plants had been in operation and the ore produced was used by the steel industry and found satisfactory for the manufacture of ferromanganese when soviet dumping began, and the ore laid down in Pittsburgh at about 50 cents per unit of 22.4 pounds of metallic manganese. This price is 18 cents under the average paid by the steel industry for a 5-year period ending December, 1929, and so far below the cost of production that the manganese industry in the United States was compelled to shut down in July, 1930, and is still unable to operate.

Even if domestic producers could meet the low price of 50 cents per unit at Pittsburgh the soviet agents have threatened to lower the price to meet any price for which the ore might be offered in this country. Had this industry been allowed to continue on normal prices it would have produced about 25 per cent of the domestic requirements this last year, and year by year the output would have materially increased.

Since the soviet confiscated the ore deposits there are no capital charges. The use of forced labor and fiat currency reduces to a nominal basis the cost of production. The first charge on soviet manganese exports is the overseas freight which must be paid in gold, then the American duty of 22.4 cents a unit, and the freight to Pittsburgh, all of which total about 30 cents a unit, leaving a gold profit of some 20 cents a unit. This is being dumped in other countries and the manganese mines in India, Brazil, and South Africa can not profitably compete with these artificially low prices. Consequently, the soviet is rapidly establishing a world manganese monopoly.

The Assistant Secretary of War delivered an address before the recent meeting of the American Manganese Producers Association and emphasized again the national importance of manganese as an indispensable constituent of steel and necessary in its manufacture, and urged the development of the domestic manganese industry in the interests of national defense. It is no accident that the soviet seeks to establish a world monopoly in manganese, a metal on which the defense of this Nation is dependent in time of war. If soviet manganese is prohibited from entrance into this country, the domestic manganese industry will be permitted to develop and this nation will no longer be dependent on the soviet or any other foreign source of supply.

The fact that the soviet decrees to completely enforce labor in Russia have just been promulgated while legislation is under consideration by Congress is to be viewed with suspicion. Such action was probably taken to deceive us into believing that the prohibiting of articles produced by convict or forced labor would adequately protect our domestic industries from the continued dumping of low-priced soviet products. If such a law were enacted the Soviet Government could circumvent it by changing its decrees and quickly establishing a subterfuge in the form of a new system of production which might include the letting of production contracts, establishing the pretense of a free labor market, and using depreciated currency. It could thus continue to dump products here at prices below American costs of production. Why not accept as final the recent soviet decrees that enforce all labor in Russia, which is a challenge to American labor, and immediately enact a law prohibiting entirely imports of all soviet products. I have introduced such a bill in the Senate and Congressman WILLIAM WILLIAMSON has introduced an identical bill in the House. This bill constitutes the only adequate protection against the soviet dumping menace and should be enacted into law at this session of Congress.

Every American dollar paid for a soviet product helps to strengthen the machine of communism to establish world monopolies. In fact, a world war is being waged now by the Soviet Government, the most insidious and unfair warfare that has ever been waged by any country in history, and so long as we purchase Russian goods we are helping to finance it. If we remain blind to these serious consequences, our domestic and foreign trade will be destroyed and we will be compelled to yield our liberty and freedom to the enforced slavery imposed by the military machine of the communists.

Many times this Nation has gone to the rescue and defense of peoples who were being persecuted. It is, therefore, inconsistent in the highest degree for this country to continue buying from the Soviet Government which still further aids the communists in extending their cruel system of sweating the blood out of the Russian people to manufacture products at starvation wages for sale in this country.

The least this country can do is to establish economic isolation from the communist machine. Other nations have already sensed the danger of further trading with Soviet Russia and have erected safeguards. Still other nations will follow action by the United States in excluding soviet products from their markets, extending



the economic quarantine. Unless this is done promptly unemployment and poverty will reach still greater proportions and the communist machine will have developed sufficient strength to make a world war unavoidable.

In meeting this great communist menace the Nation can now benefit greatly by the advice and inspiration of Lincoln's exhortation at Gettysburg:

"It is rather for us to be here dedicated to the great task remaining before us; that from these honored dead we take increased devotion to the cause for which they here gave the last full measure of devotion; that we here highly resolve that the dead shall not have died in vain; that the Nation shall under God, have a new birth of freedom, and that government of the people, by the people, and for the people, shall not perish from the earth."

#### OIL COST FACTS

Mr. CAPPER. Mr. President, I send to the desk an editorial from the Tulsa (Okla.) Tribune commenting on the report recently issued by the Tariff Commission as to the importation of foreign oil, and also commenting on the need of a tariff for the protection on domestic oil. The editorial is written by Richard Lloyd Jones, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Tulsa Tribune, February 9, 1931]

#### OIL COST FACTS

The Federal Tariff Commission's report on the difference in the cost of crude oil delivered at Atlantic seaboard refineries from Venezuela and mid-continent fields is filled with factual and statistical evidence of the need for a cost-equalizing tariff as a means of limiting imports. The commission, it is true, reports nothing more than has long been known by the independent oil industry and citizens of the oil-producing States, but the comparisons offered may be highly enlightening to Congressmen who so far have refused to study conditions in the oil industry.

Most glaring of the inequalities of competition between the domestic oil industry and the importing interests revealed in the report is the difference between the actual cost of producing oil in the mid-continent fields and in Venezuela. This directly involves the American standard of living, which is so highly regarded by the politicians who apply the tariff to other industries. Oil produced by American labor paid American wages, from leases purchased at American prices, costs 64 cents more per barrel at the well than oil produced by cheap Venezuelan labor on political Venezuelan concessions. Those who demand that oil be imported are demanding that the standard of living in American oil fields be lowered by half.

The difference in transportation costs is also impressive. It costs an average of 88 cents per barrel to ship oil by pipe line and railroad from mid-continent fields to the seaboard, and only 23 cents to transport it in tank steamers from Venezuelan ports to the same point of delivery. This advantage not only works against the domestic oil industry, but it hits the United States rail and pipe line transportation companies that pay American wages and taxes toward the upkeep of State and Federal Governments.

Other American industries are affected by oil imports, even in those States whose Senators are most actively opposing all attempts to relieve the domestic oil industry from this unfair competition. No industry as large as the independent oil industry can be destroyed without weakening the entire economic structure, especially not when the group that profits by its destruction contributes nothing to other domestic industry beyond the profits distributed among a few stockholders or the savings in fuel costs given a few favored manufacturers.

The commission's report gives only one fact that can be used by the opponents of the tariff and embargo measures sponsored by Senators THOMAS and CAPPER. It points out that Venezuelan oil is of low gravity, and consequently is better suited for use as fuel oil. Political representatives of the selfish, privilege-fattened industries of New England and the seaboard States will play this one fact above all others. They will warn Congress that if Venezuelan oil is excluded, the oil-burning industries of their States will be paralyzed.

Suggestions have already been made that perhaps the pending measures should be amended to permit these manufacturing industries to import enough oil for their fuel uses. Compromise may be necessary, in order to obtain any relief whatever. But it certainly is not justified.

Those industries that are demanding the right to buy cheap foreign oil do not accord the same privilege to others. The oil industry is not permitted to buy its materials at foreign prices. It pays the foreign price plus whatever tariff charges the favored interests may succeed in forcing Congress to levy. These charges are seldom lower than the difference between foreign and domestic prices.

The oil-burning industries of the Eastern States have no right whatever, under the United States Government's protective system, to buy cheap foreign oil. They could be forced to buy fuel on the United States market, from coal mines operated at American wage scales or from mid-continent oil fields, and still not be penalized as much by the tariff as are many other industries. They are getting more than their share out of the tariff without taking the fuel advantage into consideration.

Gifford Pinchot, Governor of the Industrial State of Pennsylvania, recognizes this fact. He cuts straight through the dogmatic and selfish arguments of the tariff opponents to the justice of the oil-tariff demands. He sees that American principles are being violated and economic injustices perpetrated by the special-privilege groups of business and politics. His telegram to the United States Senators from his State Saturday puts him just where he might be expected to be found: on the side of the oil tariff, and on the side of justice.

Unfortunately, the United States Congress is not made up of Gifford Pinchots. The clear case for the oil tariff made by presentation of the facts may not be enough to win over a majority. There are some who are always blind to facts. There are others who make no pretense of believing in justice. They will stand together, and they may be enough to defeat both the tariff bill and the embargo bill introduced as an emergency measure by Senator Capper.

Recent developments, however, are encouraging. The support given the oil tariff by Governor Pinchot should command for it the respectful attention of all fair-minded men in Congress. And the facts being revealed are so powerful that no Congressman may oppose the tariff without admitting that he is either ignorant or a servant of the interests that are wrecking the American experiment in democracy with their special-privilege manipulations through our Government.

#### MCKINLEY DAY

Mr. FESS. Mr. President, on the evening of the 29th of January last President W. O. Thompson, of the State University of Ohio, delivered in Washington, D. C., an unusually interesting address on the life and public services of President McKinley. I ask unanimous consent to have the address printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

It is now a short generation since the tragic event of 1901 took from the people of the United States a President as sincerely beloved as any man who ever filled the office. In the opinion of many, perhaps the majority of our citizens living at that time, he was without question the most beloved President known to the White House. This statement I recognize as a matter of opinion on which the admiring friends of Mr. McKinley might in a measure disagree. However, his place in the affections of our people is so secure that no one would now question the sincerity of that affection any more than they would the integrity of his character.

This appreciation of public men has been so characteristic of our history as to guard us against the dangers of excessive statements. So far as my memory goes, since I began to vote in 1876 there never has been a President who was entirely free from adverse criticism much of which was so false and unjust as not to command the verdict of history. From Mr. Washington on, every President has paid in sacrificial suffering and service a high price for the honor and honors of his office. Mr. McKinley was as free from malicious criticism as any man in the list. The adverse criticism which he received was largely due to diversity of public opinion upon the political issues current in his day. He was what we know as a regular party man, sincerely attached to the principles and policies of the organization. As a consequence he was the object of criticism politically rather than personally.

No one ever questioned the honor and integrity in his domestic life, the genuineness and simplicity of his manhood, his devotion to the principles he espoused and to the country to which he was devoted. He was not free from mistakes. No President ever has been. Fortunately for Mr. McKinley, as for others, these mistakes have been either corrected or eliminated in the ordinary progress of events. They do not reflect upon his public service or so mar his record as to leave with us unpleasant memories. I venture the opinion that among the generation yet remaining there has developed a steadily increasing and abiding esteem and affection. This in itself is a demonstration of the thoroughly human character not only of men but of the organizations developed in the modern social order.

In many particulars Mr. McKinley was a representative citizen. He was born of good parentage for two or three generations. They had been sturdy, God-fearing, hard-working, honest people. No finer background can ever be given for any boy or girl. He was favored with a rural mind, a village citizenship, and later on a larger city citizenship. His education was the best there was in his community. He took advantage of it and made as much of it as circumstances permitted. It was broken up by illness and the Civil War. After the war his education was completed in the law school at Albany, and he entered upon his professional life with a pretty satisfactory background for a public career. With this background the Civil War made a very important contribution.

There were five women who came into the life of Mr. McKinley; his mother, whom some people now living remember; more of us remember the beautiful devotion of Mr. McKinley to his mother. Her gracious influence never left him for an hour. There were his two sisters, slightly different in temperament but still making an important contribution to the intellectual and social life of their brother. His teacher also came into his life, as teachers always do, with a different point of view, an intellectual awakening, and some personal guidance that no one but a teacher seems



able to give. One should not overlook the contribution that McGuffey's Readers made or Ray's Arithmetics.

The romance of his life grew around the fifth of these women, Ida Saxton, who later became his wife and whose companionship, beginning in boyhood, reached its dramatic climax after the assassin's bullet had determined his fate. The beauty of that domestic life charmed the whole Nation. The simple, straightforward piety and godliness of the boy and the man protected him and strengthened him against the temptations to dissolute life so abundant in the Army. He was immune to these vices because he had been thoroughly devoted to the principles of moral integrity and honor inculcated by his mother and stimulated by his prospective bride. Pure women by the grace of God kept William McKinley a clean and pure man for all his life.

Mr. McKinley's experience in the Civil War is but another chapter in his life. Enlisting at 18 years of age, after 14 months' service as a private, we can not believe that he was uninfluenced by such men in command as Colonel Rosecrans, Stanley Mathews, and Maj. Rutherford B. Hayes, all of whom were to take their place later on in the esteem of the country and in public service. His first promotion was to that of commanding sergeant, in April, 1862. His military behavior at South Mountain influenced Governor Tod to promote him to a second lieutenant. In due time he became first lieutenant. His regiment, the Twenty-third Ohio Volunteer Infantry, was active in the pursuit of the followers of Morgan. After the battle of Winchester Mr. McKinley was promoted to a captaincy and assigned to Company G in his own regiment. This assignment may be taken as a distinct compliment and recognition of the quality of the young officer. In January, 1865, Rutherford B. Hayes became brigadier general and toward the close of the war Mr. Lincoln promoted the young captain to the rank of brevet major. I have heard the story repeatedly that upon Major McKinley's return after the war he was not a little embarrassed in social circles, at the age of 22, in carrying so dignified a title as that of major. However, he soon grew up to the title. This military record, so familiar to students of history, was marked by the same loyalty, promptness of service, recognition of his superior officers, and devotion to his duty that characterized his life in other circles.

Mr. McKinley's public career began when he was a candidate for Congress after some service as local prosecuting attorney. At that time he was comparatively unknown. People were disposed to think lightly of his prospects. However, the young man made a diligent campaign and came through with a majority of 3,300, a very handsome majority for the district at that time. This was in 1876, the same moment when his life-long friend, General Hayes, became President. These two men, I am creditably informed, never lost their friendship for each other or the affection which had grown up between them during the war.

The gerrymander of the district in which Mr. McKinley lived brought about his defeat for Congress, followed by his nomination and triumphant election as governor in November, 1891, where he served for two terms. He received the high compliment after his gerrymander defeat for Congress of an election from more than one solidly Republican district, but graciously declined to accept them. He bore his defeat with optimism and courage.

Into the campaign for the Presidency in 1896, Mr. McKinley brought all the earnestness of his life, while showing something of the development that had taken place in his political views. In Congress he had been known as the author of the tariff bill which carried his name. Out of this matter alone he won a national reputation. It is a mistake, however, to assume that this was the limit of his interests. The public addresses made in Congress and elsewhere led people all over the country when scanning their morning papers to raise the question as to "what Major McKinley had said in Congress yesterday." His congressional experience was contemporaneous with some of the most brilliant names of that generation in congressional life. Coming into Congress at the age of 33 one can readily see why a young man would find it necessary to bide his time before achieving the leadership which subsequently came to Mr. McKinley. During these years there was much uncertain thinking. Mr. McKinley was in the woods just as a lot of other men were. The silver question and the gold standard were matters of debate for years. In 1878 Mr. McKinley, an inexperienced Congressman, voted for free silver and voted to pass the bill over the veto of his chief, General Hayes. That veto was so well stated and the issues so clearly drawn that it furnished every important principle that went into the Republican platform in 1896, on which Mr. McKinley was elected President. In 1878 the country was not clear on the money question. At the present time the country is not clear on farm relief. We are traveling around in the woods just as they were at that time on the silver question. In 1896 Mr. McKinley won on the ratio, Mr. Bryan on the quantity theory, but the result of that election was to put the money question into the markets where it naturally belongs. The theoretical issue was settled in the minds of Congress and the country. One of these days, or perhaps I should say one of these years, the farm relief bill will be stripped of the hazy thinking of farmers, Congressmen, and executive officers, and some well-digested legislation may become possible.

As the years advanced Mr. McKinley widened his horizon. His experience as governor had brought him to a consideration of the problems of capital and labor in a way he had never known before. When he came to the White House these questions were seen in national outlines. The Spanish-American War served to bring Mr. McKinley's mind into a consideration of the relation of the United States to the rest of the world. His public addresses clearly demonstrate that he was steadily approaching the larger questions and issues involved in our international rela-

tions. His untimely death prevented the maturing of the views which he had held. He had begun to see the evils of organized capital in the form of trusts but had not yet faced that problem with completeness of effort or purpose. His reverent mind and his straightforward honesty led him to sympathize with the more humane side of every question presenting itself.

I venture to express the opinion that Mr. McKinley was a rare man in his ability to sense public opinion. I do not believe that history will put him down as a man of marked ability in originality and initiative when compared with men like Daniel Webster, Henry Clay, and others of that school, but I think no man of the whole list was able to interpret public opinion more accurately or to express it more adequately. He seems to have had the gift of discovering what people were thinking about, of talking with them and then later on of putting into public address their ideas in a most attractive form. His public speaking was always characterized by earnestness, fervor, and conclusiveness. In the days when he was governor the campaigns brought him into relation to Gov. James E. Campbell and to Gov. J. B. Foraker. Governor Campbell was gracious, tactful, sometimes humorous and witty, not dependent altogether upon his logic but always impressive with his dignity of character. Senator Foraker on the other hand was the dashing, brilliant, and courageous advocate. McKinley on the other hand lacked the spontaneity of wit and humor but excelled in the logical completeness of what he had to say.

All these men won their friends and took their places in the public life of Ohio, Governor McKinley becoming President, Mr. Foraker going to the United States Senate, and Governor Campbell missing the nomination for the Presidency on the Democratic ticket by one of those fortuitous situations so liable to develop in a national convention. McKinley carried into his higher office all the strength of his earlier experience. His conduct of the Spanish-American War and of the sentiment as to the Philippine Islands testify to his broadening vision, his high moral purpose, and his ability to be firm when firmness was a required virtue.

Perhaps a word ought to be said about the Cabinet of a President as a measure of the man. Mr. Lincoln, as we all know, had a Cabinet that was always interesting and entertaining, if not instructive. It was rarely a unit. Mr. McKinley, after a brief service with the Hon. John Sherman, one of the most distinguished names in the financial history of the country, as Secretary of State called to his assistance the Hon. W. R. Day and later on John Hay. Lyman J. Gage, a man of substantial quality, was Secretary of the Treasury. Russell A. Alger, of Civil War fame, brought another contribution, although it should be said that the problems of war in the Tropics were not understood in his time as they are now. Mr. Elihu Root came into the Cabinet. It is a comfort now to know that there was some doubt in certain quarters about that appointment. Joseph McKenna, of California, later a member of the Supreme Court of the United States, served as Attorney General. Hon. John D. Long, of Massachusetts, rendered high service as Secretary of the Navy. The Hon. James Wilson, affectionately known as "Tama Jim," from Iowa, served with distinction as the Secretary of Agriculture. He continued in office under Mr. Roosevelt and Mr. Taft. The splendid building which graces the city of Washington to-day for the Department of Agriculture is an appropriate tribute to one of the stalwart figures in American agriculture. It was in the circle of such high-minded men, whose abilities would not be questioned, that Mr. McKinley revealed his superior leadership. No doubt these men helped to educate him. Nor is there any doubt that he helped to educate them. The net result was that everybody recognized the contagious influence of Mr. McKinley's presence in the White House. His leadership was of the gentler type. The current belief throughout the Nation in his integrity and honor was so universal and profound that the tongue of scandal was never raised against him. His devotion to the Methodist Episcopal Church was unaffected and straightforward. No one ever had occasion or cause to doubt his enthusiastic loyalty to the church of his choice or his abiding belief in the Christian philosophy of life. As one of three martyred Presidents, he left his unfinished task at the zenith of his political fame. His memory lingers with us as that of a representative citizen and a Christian gentleman of the purest and highest type.

#### GOVERNMENT LOANS FOR SHIPBUILDING

Mr. DILL. Mr. President, I have here an article entitled "The West Coast Can Build Ships," published in the Log, a West coast magazine devoted to marine engineering. The article goes into some detail showing how all of the money being loaned by the Government to build ships is being loaned to shipyards on the Atlantic coast. I ask unanimous consent to have the article printed in the Appendix of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Log, February, 1931]

THE WEST COAST CAN BUILD SHIPS—PACIFIC SHIPYARDS HAVE PROVED THEIR ABILITY IN THE PAST, BUT THEY ARE GETTING NO SHARE OF THE CONSTRUCTION CONTRACTS AWARDED TO-DAY

By Robert McAlpin

In the two years since the Jones-White bill became a law contracts totaling about \$140,000,000 have been awarded to private shipyards for the construction of 41 modern merchant ves-



sels. Government loans, provided for in the act are responsible for this tremendous impetus to shipbuilding in the United States. The benefits of this provision for the rebuilding of the American merchant marine are far-reaching, but they fall about 3,000 miles short of reaching far enough. They fail to extend to the western seaboard. The Pacific coast shipbuilding plants are still waiting for some crumbs from this rich feast.

Certainly the sponsors of this act, which was designed to create new merchant vessels in American yards, had no thought of discrimination; one of the authors of the bill, Senator JONES, is from the west coast; the shipping interests of the far West stood solidly behind this legislation. The first thought was a merchant marine built in America and owned by Americans; no provisions were made for the small differential in cost which would enable the west coast to compete with the east coast in the construction program. Because of this, not one dollar of this ship-construction money has gone to a Pacific coast shipyard.

Capt. C. A. McAllister, president of the American Bureau of Shipping, has summed up this situation fairly and sensibly in the bulletin of his organization. He says, in part: "In the building of new ships all the contracts thus far awarded have gone to the eastern shipyards. On the Pacific coast there are at least five great yards still in existence and hundreds of skilled men available who need this kind of employment. The Pacific coast yards did marvelous work during the great ship-construction period incident to the late war. In rapidity of construction and in excellence of output they ranked with the best yards elsewhere in the country.

"Up to now not a dollar of the money for new ships built under the provisions of the Jones-White law has been awarded that section of the country. This is not just, and the eastern shipbuilders so agree, but economic conditions are such that under present laws it can not be otherwise. While the Pacific coast has excellent mechanics and a wonderful climate, they must get the bulk of the material from the East, and the cost of transportation of this material thus far has formed an insurmountable barrier to their being awarded contracts."

He proceeds to offer a suggestion for correcting this condition: "There seems to be a very simple remedy for this state of affairs. Those of us who can remember the conditions under which battle-ships and cruisers were constructed on the Pacific coast will recall that Congress in the naval appropriation bill each year allowed a small differential of cost to Pacific coast yards in order that they might overcome the freight rates on the material which they had to purchase in the East and Middle West. From the bids recently received, it would appear that a differential of but 2½ to 3 per cent of the cost of the ship would enable the Pacific coast yards to receive some of these contracts, and it is earnestly suggested that in order to right this apparent discrimination against Pacific coast yards that the Representatives from that region take action in Congress to relieve this unfortunate condition.

"Our merchant marine can not afford to have these highly efficient shipyards and personnel go into disuse, and in addition the people of the Pacific coast are entitled to their proportionate share of the benefits of the Jones-White Act."

And as this article is being written word comes that action has been taken. On January 26 Representative WELCH, of San Francisco, and Representative CARTER, of Oakland, opened a campaign in Congress to "relieve this unfortunate condition."

WELCH announced in his speech on the floor that he would offer an amendment to the Shipping Board appropriation bill which would specify that 40 per cent of the money loaned for the building of ships hereafter must be assigned to ships to be built on the Pacific coast. Such an amendment, of course, will run into plenty of opposition, but it is expected that during the ensuing debate many facts showing discrimination in the past will be made clear.

Owing to this discrimination, he said, Pacific coast shipyards are idle. Work is at a standstill and shipbuilding in California, Oregon, and Washington threatens to become a lost art.

Representative CARTER followed with a speech in which he stated that he would offer an amendment specifying that all vessels built under the ship loan act shall be let to the lowest responsible bidder. This amendment is aimed particularly at the treatment accorded the General Engineering & Dry Dock Co., of Oakland and San Francisco, a situation well known in marine circles. General was the low bidder by \$55,000 and three months' time on the vessel for the Red D Line, in spite of geographical location, but did not receive the contract.

Something must be done to equalize matters between the two coasts if the long-established shipbuilding industry of the West is to survive. Perhaps something will come of the congressional work undertaken by Representatives WELCH and CARTER. If any reader questions the seriousness of the problem, let him consider the figures in the following paragraph:

Of the splendid total tonnage of shipbuilding in the United States during 1930, 5.6 per cent was built by west coast yards. Of the tonnage now under construction only 1.2 per cent is being built on the Pacific coast. But as low as these figures are, they do not express the true situation with regard to the merchant marine act; neither percentage represents tonnage awarded by virtue of this act. To repeat: No contracts for merchant ships built with Government loans have been awarded on this coast since 1928, while 41 merchant ships have been contracted for on the eastern seaboard.

A stranger to the situation, studying this distribution of contracts, might think that the West lacked facilities and skill in shipbuilding. He would be wrong. The West has ample of both, as will be shown below. It is economic conditions, not lack of equipment or ability, that so far has worked against an equitable dis-

tribution of construction work between the two seaboard. Whether the barrier can be lifted remains to be seen; justice to all parts of the country demands that something be done. As Representative WELCH asked in his speech at Washington: "Is it safe for us as a Nation to maintain shipyards in one small section and let the shipyards go to rack and ruin on our entire Pacific coast?"

In truth, this picture is exaggerated. Our Pacific coast shipyards have not gone to rack and ruin, although they have had a long, hard struggle. They have not closed down. They have kept their nucleus of trained men. Their building ways and shops are intact and fully equipped. These shipyards are ready for big work, the sort of work they did prior to and during the war period. Their background is the same as that of eastern yards. Let's go back a little and see what this consists of.

During 1914 the large shipyards of the United States were principally engaged in building naval vessels. From 75 to 80 per cent of the naval vessels had been built in private shipyards. The facilities of the yards were installed primarily for this work, and their technical and mechanical organizations were largely trained to design and construct such vessels. There had been no merchant shipbuilding of consequence for the foreign trade for many years. Merchant-ship construction had been confined to vessels for coastal trade and to miscellaneous small craft for sound, bay, and harbor service.

With the war, foreign vessels were withdrawn from the American trade. This gave an immediate impetus to shipbuilding in 1915 and 1916, which developed into the unprecedented shipbuilding program of 1917 and 1918. At the beginning of 1916, 22 shipyards were building naval and merchant seagoing vessels. At the end of 1918, 211 shipyards were building merchant vessels, of which 76 were building steel ships and the remainder were building wooden or concrete ships. For every person in the United States engaged in shipbuilding during 1916 there were eight so employed at the end of 1918.

It was the existence of the technical and mechanical staffs in the older shipyards, developed as described above, that made possible the great war program of shipbuilding in the new shipyards. Trained men were available at these old plants; these men, sent to new plants, were able to meet the emergency. Such men, employed to-day in west coast shipyards to do ship repair work, should be "saved" from dropping out of the industry. And the loyal western yards that have hung on without construction contracts—the country can not afford to lose what they can offer in another national emergency. For the present-day shipyards of the Pacific coast have the men, the docks, and the equipment—now employed in repair work but ready to build ships if given the opportunity. They built good ships in the past, and can again.

The Union Iron Works at San Francisco, the first steel shipbuilding plant to be established on the Pacific coast, had been constructing naval and merchant ships since 1881. Among the products of this plant were the U. S. S. *Charleston*, *Wisconsin*, *California*, and numerous other war vessels, including many submarines and destroyers, as well as various types of war vessels for foreign governments. Perhaps the most famous of all was the *Oregon*, "Bulldog of the Navy," which made the spectacular run around Cape Horn to join Admiral Sampson's fleet in time for action in the battle of Santiago.

Naturally, with highly trained personnel continuously employed, it was possible to submit attractive bids on merchant work, and many large merchant ships were built, including tankers, freighters, and the big turbine liner *Maul*, at that time the finest passenger ship sailing between San Francisco and the Hawaiian Islands.

The second oldest established steel shipyard on the Pacific coast was the Moran plant at Seattle, which built a number of vessels for the Navy and for the merchant marine. The battleship *Nebraska* might well head the list as the outstanding bit of naval construction handled by this yard; submarines and coastwise freight and passenger ships came from the Moran ways. When war was declared this yard had under construction a very large freighter for the Luckenbach Line.

At the outbreak of the war steel shipyards sprang up like mushrooms along the Pacific coast, and each plant acquitted itself with credit. Pacific coast yards were responsible for more records in time delivery than the yards of other sections of the country, and despite the speed with which ships were launched and delivered, the workmanship and materials were of the highest quality.

During the war and the postwar boom the shipbuilding equipment of the west coast was largely expanded, and as a natural consequence the industry has since been going through a period of adjustment. Those yards which were purely of the "war-baby" type have been liquidated, their sites put to other industrial purposes, and their plants largely scrapped. Old established yards, however, turned their attention to ship repairing and ship reconditioning, with some new construction work. Thus have they kept their organizations intact.

Of the shipyards that have remained in business in the Northwest, we find a very live, going concern in the Todd Dry Docks (Inc.), of Seattle, the largest plant of its kind on Puget Sound. This conveniently located plant contains three floating dry docks with lifting capacity varying from 3,000 tons to 15,000 tons, and fully equipped shops to handle any type of ship repair. One of the outstanding jobs performed by this yard since the war was the complete rebuilding of the former naval hospital ship *Comfort*, which is now operating as the Atlantic coastwise liner *Havana* of the Ward Line.

San Francisco Bay is properly classed as the shipbuilding center on the Pacific coast, for here are located the largest and finest shipyard facilities to be found anywhere in the United States. The



Bethlehem Shipbuilding Corporation owns and operates three yards on the bay—the Hunters Point Works, the Potrero Works, and the Alameda Works. The General Engineering & Dry Dock Co. operates a complete and active shipbuilding plant in Oakland, a smaller yard in Alameda, and busy repair shops in San Francisco. The Moore Dry Dock Co. has its big plant in Oakland, where ships are built and repaired.

Bethlehem's Hunters Point Works represent the largest privately owned dry docks in America. One of these two docks is 1,020 feet long and is capable of docking the largest vessels afloat; the other dock is 750 feet long. At the Potrero Works are three floating docks, building ways, and complete shipbuilding equipment. At the Alameda Works also is found shipbuilding equipment for the construction of large merchant vessels. Two giant ore carriers have been constructed by this plant since the war-time boom, as well as two beautiful passenger steamers for the Inter-Island Navigation Co. of Hawaii, and many smaller craft, including ferryboats and barges.

The General Engineering & Dry Dock Co. started with a small shipyard on the Alameda shore of San Francisco Bay since the war. The organizers were shipbuilding officials, and they gathered together a staff of skilled shipbuilders. In their program of expansion they absorbed the big Hanlon Dry Dock & Shipbuilding plant in Oakland, which included in its facilities the largest electric marine railway in the world. This plant offers complete shipbuilding and repair facilities. The Alameda plant is a repair unit, and the large shop in San Francisco is fully equipped to handle voyage repairs of all types. Many ferryboats and bay craft have been constructed by the General Engineering & Dry Dock Co.; recently four turbine-electric cutters of the *Itasca* type were built for the Coast Guard.

The plant of the Moore Dry Dock Co. on San Francisco Bay operates a complete repair unit of 5 dry docks, 2 of which are of the floating type and 3 of the marine railway type. During the war period this plant established an enviable record for the number of ships it launched. Since that period it has constructed several splendid ferryboats, also several tankers and barges. At present this yard is engaged in the construction of a steel vessel for the United States Lighthouse Service.

Two shipbuilding and repair yards offer complete service to vessels at Los Angeles Harbor. The Bethlehem Corporation is now operating the shipyard which was formerly the Southwestern Shipbuilding Co. on Terminal Island. At this plant will be found a 15,000-ton floating dry dock and complete ship-repair service.

The Los Angeles Shipbuilding & Dry Dock Corporation operates a shipyard for the building and repair of vessels at Los Angeles Harbor, where it has a 12,000-ton floating dry dock. One of the largest reconditioning jobs done on this coast in recent years—the complete rebuilding of the former German liner *President Arthur* into the beautiful steamer *City of Honolulu*, was done at this plant.

In addition to the splendid facilities for building and repairing ships on the Pacific coast, the great distances between harbors has created a large deep-sea towing and salvage fleet which has established a fine reputation for prompt and efficient service to vessels in distress. Principal salvage and towing equipment companies are based at Los Angeles, San Francisco, Columbia River, and Puget Sound, thus effectively covering the entire coastline.

It goes without saying that special equipment and supplies are maintained at Pacific coast ports for speedy ship repair and maintenance service. In fact, a considerable part of the equipment, furnishings, interior decorative treatment, and the auxiliary machinery of several of the large passenger liners now building at Atlantic coast yards is designed and completed on the Pacific coast and shipped east for installation.

Because of the pleasant year-round weather conditions, ship operators realize the great advantages to be gained in dry docking their vessels on the Pacific coast, where at any time of the year the hulls may be washed and thoroughly dried before paint is applied. These advantages are also of great value in ship construction, as was clearly demonstrated during the shipbuilding boom. It will be recalled that a very large percentage of the emergency fleet was built on the west coast, and largely due to this fact the plants are properly equipped and manned to-day for important work.

Skilled shipbuilders are still to be had—craftsmen who know their job. These men are the nucleus for the busy crews that will build proud merchant ships on the west coast—when contracts for such work are granted on both seaboard instead of on one.

To those who know the splendid facilities—building ways, shops, equipment, and expert men—of the Pacific coast shipyards, the lack of opportunity to do a share of the construction work under way and planned seems an injustice. With a cost differential of 3 per cent or less between the two coasts, the American spirit of fair play should be shown in some manner that will preserve these efficient shipyards, keep intact the organizations that have proved their worth so well in the past. Given the opportunity, these Pacific coast shipyards can again show the world that they can build good ships.

#### POST-OFFICE LEASES

Mr. WHEELER. Mr. President, I present two editorials from the St. Louis Star and another from the New York Evening World, with reference to what is known as the scandal growing out of post-office leases, which I ask may be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the St. Louis Star, February 6, 1931]

#### CLEAN THE AUGEAN STABLES

A stench worse than that of Teapot Dome begins to rise from the post-office leasing scandal. When a former Assistant Postmaster General says that all power over large leases was taken out of his hands by Postmaster General New, and when Senator BLAINE discloses that the beneficiaries of those leases contributed \$1,125,000 to the last two Republican presidential campaign funds, something is going to explode.

Indefensible contracts, bilking the Government of millions, would be enough in themselves to create a presumption of rottenness. But the disclosures made and promised in the Senate committee involve the entire party organization. They point to a state of moral debauchery appalling to contemplate.

James W. Good, former Iowa Congressman, is revealed as the man who put over, with Postmaster General New, the noncancellation clause in the burglarious St. Paul post office lease. Mr. Good became western campaign manager for the Republicans in 1928. He then was appointed Secretary of War by Mr. Hoover, and died while holding that office. Mr. Good's connection with the post-office scandal and the connection between that scandal and Republican finances made him an ideal liaison officer. His subsequent promotion and political influence in the Hoover administration formed a fine prelude to Huston, Lucas, and "Grocer Norris."

Senator BLAINE is performing a service for which this Nation, if it has any sense of political morality, must feel profoundly grateful. Who can imagine the pressure upon him to conceal the truth or the rewards that would be his if he consented to suppress it? Who can measure the consternation now felt in high political circles?

For 10 years this thing has been going on. It is time to cleanse the Augean stables.

[From the St. Louis Star, February 12, 1931]

#### THE POST-OFFICE SCANDAL

It would be "incompatible with the public interests," says Postmaster General Brown, to tell the United States Senate what valuation has been placed on leased post offices by post-office inspectors.

Mr. Brown is asking Congress to appropriate \$40,000,000 to buy these leased buildings. But he refuses to give Congress information to show whether the buildings are worth more or less than \$40,000,000. So the question is whether he should be trusted with a free hand.

Mr. Brown says that to make the appraisals public would put the Government at a disadvantage in negotiating for the purchase of these buildings. That would be true in a private business deal, where the object is to skin the other fellow, but not in a public purchase, where the aim is to pay exactly what property is worth. Theoretically, then, the Postmaster General's claim is invalid. What about it practically?

This whole post-office leasing scandal, with the resulting proposal to buy the buildings, was precipitated by the discovery that the Post Office Department was paying \$120,000 a year rent for a building in St. Paul valued by Federal court appraisers at \$290,000. By accident it became known that postal inspectors appraised the building at \$405,000. If the Government hoped to buy the building for less it might be considered incompatible with the public interest to make the appraisal public. On the surface it supports Mr. Brown's claim.

Last September when Postmaster General Brown asked for this \$40,000,000 appropriation he called the St. Paul post office an \$800,000 property, twice as much as the valuation of his own inspectors. That statement, made publicly, raises this question: Does Mr. Brown want the appraisals kept secret because he hopes to buy the buildings for less than they are worth, or because he fears to have their real value known?

The St. Paul appraisal, excessive as it was compared with the condemnation figures in Federal court, emphasized the scandalous rental paid by the Government. Wouldn't other appraisals have the same effect? The importance of appraised values becomes even more apparent when one considers the manner of financing these leased buildings. The St. Paul building, worth \$290,000 or \$405,000 or \$800,000, as you please, is bonded for \$1,100,000, representing not the cost of the building but the capitalized value of the rental. The bond issue was based on the action of former Postmaster General New in making the lease noncancellable—an action, it has been revealed in the past few days, which involved the forcible affixing of the signature of an Assistant Postmaster General who refused to sign the outrageous document.

The only conclusion one can draw, looking at the plain record of proven facts, is that it would be incompatible with the interests of the post-office lease grafting ring and their political friends to make these appraisals public. Mr. Brown has given final evidence of the attitude of the Hoover administration toward corruption that raises a stench to Heaven.

[From the New York Evening World, February 13, 1931]

#### "NOT IN THE PUBLIC INTEREST!"

Postmaster General Brown has extended the scope of the plea of "not compatible with the public interest" to demands for information on the leasing of post offices. The Senate committee



investigating the leases has made some very serious charges that even hint at criminality and certainly charges impropriety of the most flagrant sort. The Federal grand jury inquiry into the lease at St. Paul can hardly be brushed aside lightly.

Under these circumstances the Postmaster General is summoned before the committee and asked for certain information and public papers relating to the leases. And the politician from Ohio, who is the head of the Post Office Department, replies airily that he will not let the Senate see the papers or furnish the information asked because it is "not in the public interest."

It is commonplace for a President to refuse the request of Congress for papers relating to international affairs upon that ground. It is easy enough to understand how the publication of such papers or their contents might cause international trouble.

But how, in the name of common sense, information to the public from a public servant regarding the leasing of public property, with public money involved, can be withheld on the ground that it is "not in the public interest" is something that can only be explained by one of "the Ohio gang."

An issue of the utmost importance has been raised by Mr. Brown, and it is to be hoped that the committee will meet it and thus determine to what extent public servants can conceal their public actions from the public.

#### WORK OF CONGRESS

Mr. CONNALLY. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Unfinished Business," published in the New Republic of February 18, 1931, and having reference to the work of Congress.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New Republic, February 18, 1931]

#### UNFINISHED BUSINESS

Now that a compromise has been reached on drought relief and another is in sight on the cashing of bonus certificates, administration and other conservative forces are beginning to heave sighs of relief because the chances of an extra session of Congress look slimmer. All that remains for Congress to do, it is argued, is to provide in some way the minimum of funds necessary to carry on the Government until next December, and then disperse. Why is it assumed that the country wants nothing from its legislative body except inaction? Are national affairs in such perfect order that we should seek as little change as possible for another year?

There has been a vigorous propaganda to the effect that the prime necessity of the moment is to leave business alone, so that it will revive. Anything Congress is likely to do, it is argued, will disturb business, or at least arouse the fears of business men, and this may postpone revival. "This is not the time" to consider new measures, investigations, advances, or changes in policy. In so far as Congress plays a part in government, a moratorium on government is demanded. Every question of policy is, for the time being, to be left to the limited powers and vision of the White House.

Just what are the things which Congress might do, if an extra session of that body, as it was constituted by the election of last November, were to come into session on March 1? How would these things disturb business and postpone revival? The most prominent pieces of unfinished business now on the calendar are easily identified. There is the proposal to appropriate a greatly enlarged sum for public works and thus to enable the Federal Government to help the relief of unemployment and the revival of business to a degree somewhere commensurate with the need. This measure is supported by a large group of the Nation's most prominent and scholarly economists. There is Senator WAGNER's program to begin the establishment of a permanent system of dealing with unemployment. Only two of his measures—and the most elementary—have been adopted, those calling for better statistical information and advance planning of public works. There remain a nationally coordinated system of employment exchanges, and Federal encouragement for State unemployment insurance. This program also has the almost unanimous support of the experts. Senator NORRIS's plan for public operation of Muscle Shoals, repeatedly adopted by the Senate, languishes because the House will not agree—the principal obstacle being raised by a lame-duck member of the House committee, defeated in the last elections because of his friendship to the power interests—Mr. REECE, of Tennessee. Senator NORRIS's constitutional amendment to avoid the absurdity of such lame-duck activities, long approved by all intelligent commentators, is suspended in the House. The Senate Judiciary Committee's bill to remove the abuse of antilabor injunctions, supported by the weight of expert authority in this field, awaits action. The Interstate Commerce Commission has asked for power to deal with railroad holding companies and to pursue a more intelligent policy of valuation and rate regulation, which would be made possible by repeal of the recapture clause. The proposal for Federal regulation of the interstate activities of the electric utilities is under consideration. And the investigation of banking policy and its effect on speculation, now under way, might lead to action.

There is not the slightest excuse for delay in any of these matters. Those projects which have not already had the benefit of long consideration are supported by the best nonpolitical authority in the Nation. They are not half-baked nostrums proceeding from temporary excitement, or from demagogic desire to play politics and win votes. Not one should injure any legitimate business. Some, indeed, are not only urgent, but have been far too long delayed. If they are not passed during a depression, they are not

likely ever to be passed. These are the measures for temporary and permanent relief of unemployment. There is barely a trace of reality in the plea that for Congress to act during the next 10 months would tend to delay revival of business.

The only reality there is in this plea is created by the very propaganda against an extra session. Business men have been told so emphatically and so frequently that prosperity and congressional activity are mutually incompatible that they have come to believe it, and this belief itself may undermine any confidence they might otherwise feel, if the Capitol at Washington remains busy. And why have they been told this? A combination of two types of influence has been brought to bear for this purpose.

One consists of predatory, profiteering, and reactionary private interests which are opposed to specific pieces of legislation now under consideration. The power companies are afraid of public operation of Muscle Shoals because they think it may succeed and reveal how much they are overcharging the public. The anti-union employers want to block the injunction bill, labor exchanges and unemployment insurance. The railroad holding companies want complete freedom for financial and trading profits. The big taxpayers want to avoid increased expenditures for public works. These interests have done their best to scare the public by pretending that their interests are identical with the public interest. They think that if action can only be postponed long enough, revival may come and the public will be less ready to support progressive measures. Or some new obstacle may be devised.

The other influence is self-seeking politics. The administration, dominated by Mr. Hoover's desire for renomination and reelection, wants on the one hand to avoid offending the powerful interests mentioned above by sanctioning anything they dislike, and on the other hand to avoid issues which a fight with Congress on these measures would sharpen, and which would make the President still more unpopular with large groups of voters. Wheel-horse politicians and newspapers find it natural to support him and the interests which his position protects. This fear on the administration's side finds its counterpart in a fear among conservative Democrats. They also do not want to offend private interests which are capable of financing campaigns and influencing opinion. And they are afraid that, if they did insist on an extra session and support progressive measures, business might not revive and they would be the scapegoats. They want to enhance their chances of winning the next election by avoiding any responsibility for what happens in the meantime. They want to win, not on their merits, but by the default of their opponents.

Fear is the dominant motive of the bipartisan coalition which is stifling action in a national emergency, which is preventing the American Nation from taking even the most elementary measures to make its business order behave in a barely endurable way. The President, the great Republican and Democratic newspapers, and the sinister forces behind them, are really "trading in human misery." They are telling the country that it can not have relief from depression unless reaction is allowed to have its way. But those among them who are capable of disinterested thought should reflect on the long-time risks they are taking. How long can our civilization continue to creak along with a governmental machine which is so nearly prevented from functioning?

#### ALIGNMENT OF THE ELECTRIC AND GAS UTILITIES

Mr. NORRIS. Mr. President, I have in my hand an article printed in the Wall Street Journal of Saturday, February 7, 1931, upon the alignment of electric and gas utilities, showing not only the article but in a diagram attached thereto the combinations now being made and that exist between various public-utility corporations. I think from the fact that this article is printed in the Wall Street Journal it will command great respect from conservative men, and I should like to have them get the viewpoint of the journal referred to. I ask unanimous consent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[From the Wall Street Journal, February 7, 1931]

#### ALIGNMENT OF THE ELECTRIC AND GAS UTILITIES IN GRAPHIC FORM—UTILITY LINKING AID FOR FUTURE—REGIONAL GROUPING LIKELY TO BE FACTOR IN NEXT MERGER MOVEMENT

Looking back at the rapid developments within certain divisions of the public-utility industry during the past 10 years, the investor and perhaps the politician may be pardoned for any bewilderment at what appears to have been a veritable orgy of mergers, stock split-ups, new financing, and the creation of "super" holding, management, and investment companies, writes Harry T. Rohs in Barron's the National Financial Weekly. The outgrowth has been an extremely complicated interrelationship of by no means simple corporate entities. Only those who have grown up with and in the industry have a clear picture of the details, but it is possible for the layman to obtain a relatively comprehensive view of the more important groups and their relationships. For this purpose the chart accompanying this article has been prepared.

It was but natural that in the development of the electric and gas divisions of the public utility industry a trend toward centralization should have evolved. This trend covered management, corporate control, system integration and correlation, and had



as its goal greater economy and efficiency in operation which would lead to larger income and reduced rates. It was inevitable that during this developmental period investors and the public should have been confused as to the purpose and the relation, both physical and corporate, of the organizations involved.

#### SOME OF THE BENEFITS

Annoying as the present utility corporate maze may be to the investor, this detail is insignificant compared to the benefits that have accrued to the utilities and their customers. But a decade ago utilities were for the most part serving only reasonably densely populated communities within a strict territorial circle, and most companies were fighting a hard battle for existence and new capital, even at high interest rates, which was essential to continue their more or less legally prescribed duties. To-day the situation is well known. The present systems, with their extensive interconnections, transmission and distribution lines, extend service at greatly reduced rates to even the smallest communities. The acme of scientific research, directed by experienced, centralized management, and supported by capital enjoying the highest credit rating, is carrying forward service improvements aiming at even higher efficiency and lower costs.

While present corporate structures and relationships in the utility field have evolved rapidly during a period of unusual financial development, there is no indication that the existing alignment will be final. On the contrary, only the groundwork has been laid for further maneuvers which suggest greater concentration and eventually decided simplification of corporate set-ups and managements.

#### THE PICTURE OF A \$17,000,000,000 INDUSTRY

The accompanying chart shows the principal utility systems in the United States, with their major subsidiaries, as well as certain affiliated investment companies. It is designed to indicate as clearly as possible from the information available the interrelation of the organization involved in this \$17,000,000,000 business. Its purpose is primarily to facilitate the understanding of the broad utility groupings, and in this sense will most likely prove disappointing to those political aspirants who have been endeavoring to create an illusion of the "utility octopus."

The placement of the various organizations on the chart has nothing whatever to do with their relative importance to the industry as a whole. Their location is merely a matter of expediency to permit presentation in the simplest possible manner. Anything but a broad general analysis of the chart might prove misleading, since for obvious limitations of space many important details have been omitted.

#### SEGREGATING THE COMPANIES

The various organizations, however, may be divided into groups by their corporate relationships and by their banking sponsorship, or both. On such a basis the 23 holding companies shown may be segregated into 8, or at the most 10, specific divisions, as follows:

1. Electric Bond & Share Co. and its affiliates, which includes the American Power & Light Co., National Power & Light Co., Electric Power & Light Co., American Gas & Electric Co., and American & Foreign Power Co. (Inc.).

2. The group of properties having as bankers Bonbright & Co., J. P. Morgan & Co., Drexel & Co., National City Bank, and the Guaranty Trust Co. These companies include Commonwealth & Southern Corporation, Niagara Hudson Power Corporation, Consolidated Gas Co. of New York, Public Service Corporation of New Jersey, United Gas Improvement Co., and Columbia Gas & Electric Corporation.

3. A group identified largely through Harris, Forbes & Co. with the Chase National Bank. This group includes United States Electric Power Corporation, with its control of Standard Gas & Electric Co., Associated Gas & Electric Co., Utilities Power & Light Corporation, Cities Service Co., and the Public Utility Holding Corporation, controlling Central Public Service Corporation. H. M. Byllesby & Co. also is prominently identified in this group.

4. The Insull properties, important working positions in which are controlled in the Insull manage through personal investments and holdings of the various Insull investing companies. These properties include Midwest Utilities Co., Commonwealth Edison Co., Peoples Gas Light & Coke Co., and Public Service Co. of Northern Illinois.

5. The North American Co., one of the largest independent working groups, with assets of around \$700,000,000. In addition to its wholly owned subsidiaries, it also has a substantial interest in Detroit Edison Co. and in Pacific Gas & Electric Co. Its 32 per cent holdings in the latter were obtained in the spring of 1930 through the sale of North American's Western Power properties to Pacific Gas & Electric in exchange for 1,820,000 shares of the latter's common stock. It also shares with Middle West Utilities Co. an 86 per cent interest in the North American Light & Power Co.

6. United Light & Power Co., dominated by Cyrus Eaton and his affiliates.

7. The Stone & Webster group. Stone & Webster (Inc.), a holding company, controls Engineers Public Service Co., owns Sierra Pacific Electric, and has management or engineering arrangements with Tampa Electric, Eastern Utility Associates, and other properties.

8. The Koppers Co. While primarily interested in the gas business and production of coke ovens, it has sizable interests through various investment affiliates in electric properties, outstanding among which is a large block of United States Electric Power Corporation, which controls Standard Gas & Electric Co. through the Standard Power & Light Co.

9. American Water Works & Electric Co., a company standing more or less alone. W. C. Langley & Co. has long been identified with this organization's financing, and is also closely related to the United Founders group, which controls United States Electric Power Corporation. Recently officials of American Water Works created a voting trust of five years' duration, to which was pledged a majority of the stock, thus safeguarding control by the present management.

10. American Commonwealth Power Corporation, headed by Frank T. Hulswit. This is the last and smallest of the 10 groups specified.

Neither this article nor the chart pretends to embrace all of the Nation's utilities. For instance, on the Pacific coast, in addition to Pacific Gas & Electric Co., there are the Southern California Edison Co. and the Pacific Lighting Corporation, both large organizations with ownership vested in a widespread stockholders' list. Neither of these companies falls into any specific category. In addition, there are the properties identified with the banking firm of Aldred & Co.—namely, the Consolidated Gas, Electric Light & Power Co., of Baltimore, and its affiliated Pennsylvania Water Power Co.

#### UNITED CORPORATION'S INVESTMENTS

Early in 1929 the financial community was startled by the entrance of J. P. Morgan & Co. into the utility field through sponsorship of the United Corporation. It was organized with the object of promoting closer relationship among the companies serving the Atlantic seaboard. At the time of its formation it was indicated that United Corporation would not acquire majority interests but would confine itself to minority positions. To date it has adhered to that program. The fact that it will be of vital influence in utility developments in the East, however, is quite apparent from a study of the chart, showing the relationship between that company and those in the Bonbright-Morgan-Drexel group outlined above. For instance, while United Corporation itself owns but 18 per cent of Public Service of New Jersey, a 54 per cent interest is represented by its holdings plus those of United Gas Improvement in which United Corporation has a 27 per cent stock interest.

United Corporation, while not perhaps the first, was nevertheless the largest of a new type of corporation superimposed on the utility picture. A brief description of the three main types of "supercorporations" in the utility field may, therefore, be in order.

#### HOLDING, MANAGEMENT, AND INVESTMENT COMPANIES

The first is the holding company, by which is meant a corporation owning all or a substantial majority of the voting stock of various holding and operating subsidiaries. Typical examples are the North American Co., American Gas & Electric Co., and Middle West Utilities Co. The relationships of these top companies to their subsidiaries vary. Some take a direct part in financing, management, and engineering, for which they receive specific fees, whereas others confine their activities principally to financing and indirect management without recompense.

A second type of supercompany is the management company, typified by Electric Bond & Share. It does not control majority ownership of any of its domestic affiliates, although it holds substantial stock interest as more or less permanent investments. This company receives fees for supervising engineering and financing services to its affiliates. It considers its affiliates as clients.

The last type is the investment company, illustrated by the United Corporation, and American Superpower Corporation. Companies of this type do not control either operating or holding companies, and take no direct share in management or financing. They have been formed for the most part either for purely investment purposes or as vehicles for the working out of eventual mergers and regroupings.

There is contrast, however, between the American Superpower Corporation and the United Corporation. United Corporation was formed primarily to foster a "community of interest" among Atlantic seaboard utilities. On the other hand, American Superpower, organized in 1923, with assets of only slightly over \$1,000,000 and directed by farseeing utility executives and bankers, was formed primarily to participate in the expansion of the electric and gas industry through investment in equities. Its assets have increased to more than \$150,000,000 (at the 1929 market highs assets were in excess of \$300,000,000). Its investments rarely exceed 15 per cent of any individual issue, and its largest equity holding at present is 18 per cent of Commonwealth & Southern Corporation.

#### OTHER IMPORTANT INVESTMENT COMPANIES

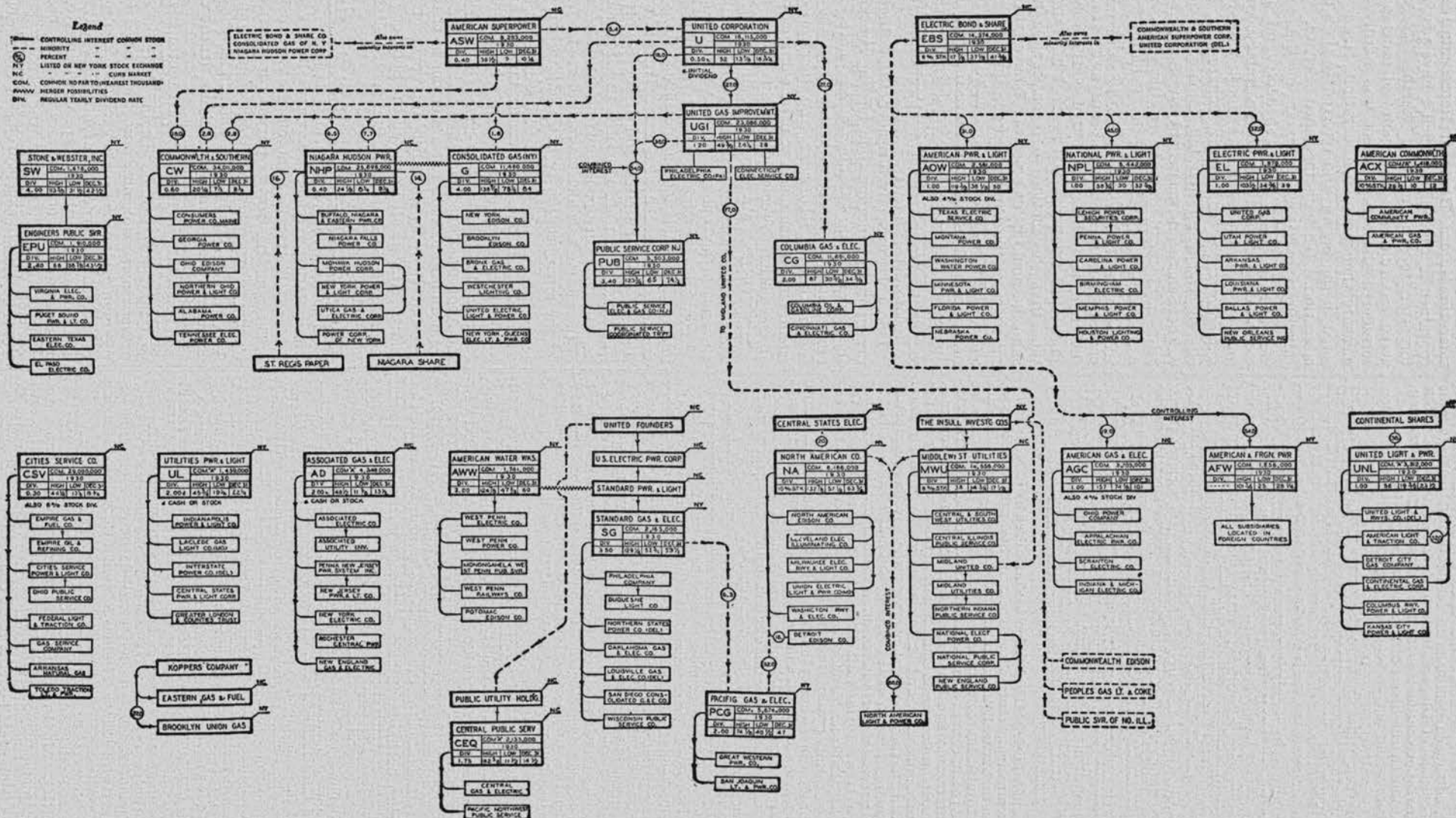
The more important investment companies, shown on the chart in addition to American Superpower Corporation and United Corporation, are Central States Electric Corporation, which holds with its affiliates well over 20 per cent of North American Co. common stock. Continental Shares (Inc.), the Insull investing companies, Niagara Shares Corporation, Public Utility Holding Corporation, St. Regis Paper Co., and United Founders. Continental Shares, St. Regis Paper, and United Founders are not primarily interested in utilities.

The major utility interests of the Niagara Share Corporation and St. Regis Paper Co. both converge on Niagara Hudson Power. The latest figures available indicate ownership by the former of more than 3,600,000 shares of Niagara Hudson Power common and a substantial block of option warrants. St. Regis Paper had in its portfolio approximately 4,200,000 shares of Niagara Hudson Power Corporation, as well as a large block of warrants. The combined holdings of these two companies in Niagara Hudson Power represent about 30 per cent of the total shares outstand-



# Inter-Relation of Principal Public Utility Holding and Investment Companies

(January 1, 1931)





ing. The individuals dominant in both organizations are also important officials of Niagara Hudson Power Corporation. The Niagara Share Corporation is sponsored by the Schoellkopf interests of Buffalo, and the St. Regis Paper Co. by the Carlisle interests.

The picture would not be complete, however, without mention of several other investment organizations which have substantial portions of their funds in utility securities. They are Eastern Utilities Investment Corporation, Electric Power Associates, and Utility & Industrial Corporation.

#### ASSOCIATED GAS & ELECTRIC CO. UNITS

Eastern Utilities Investing Corporation belongs in the Associated Gas & Electric group. Its investments comprise substantial holdings of that company's securities and affiliated organizations, as well as ownership of equities of many substantial New England utilities. Another company belonging in this group is the General Gas & Electric Co., which was acquired by the Associated Gas & Electric Co. at the close of 1929. Its major utility properties were transferred to direct contact subsidiaries of Associated Gas & Electric Co., through which action General Gas & Electric became primarily an investment organization holding sizable blocks of Associated Gas & Electric securities as well as miscellaneous holdings in a wide list of other utility issues.

Electric Power Associates is sponsored by W. C. Langley & Co. and its principal investments comprise large holdings of American Water Works & Electric, Standard Gas & Electric, and United States Electric Power, although its list covers many other utility issues also.

Utility and Industrial Corporation was organized by H. M. Byllesby & Co. Its principal holdings are blocks of Standard Gas & Electric, Northern States Power, and Philadelphia Co., all under the control of United States Electric Power.

It is but natural that where such close corporate, working, or banking relations exist as are indicated in the different groupings on the chart, directorates should interlock to a degree. While this is frequently portrayed in vivid terms by the Pinchots, Walshes, and Norrises as the symbol of "a slowly breeding power trust stretching its tentacles to enmesh the public in its coils," it really functions as an effective medium for bringing about proper cooperation between the various systems involved. It has yet to be proven that such developments have not redounded favorably to the consumer.

Conditions in the security markets in 1929 and 1930 brought merger developments to a temporary standstill. There is little doubt, however, that the trend toward concentration will soon get underway again. Every indication points to mergers along different lines than those followed in the past.

Prior to 1930 the industry went through a series of consolidations which achieved both operating economies and higher equity earnings for the major holding companies involved. But these consolidations were not primarily guided by the principle of building up regional interconnected systems; rather there was a tendency for holding companies to acquire control of strategic situations which were frequently widely separated geographically. In this manner a talking point for the holding companies was built up in the feature of diversification, which unquestionably proved a valuable attribute toward financial stability. At the present time the composition of most holding companies has been made without regard to State lines or to any specific division of properties based upon their geographical relation to others.

#### REGIONAL GROUPS TO BE STRESSED

Recently, however, utility opinion seems to be leading toward a new phase of property consolidation. In any future merger steps the emphasis, no doubt, will be placed upon regional groupings. These regional groupings will be effected, probably, through exchanges of properties rather than solely by acquisition of properties through purchase as in the past. Within recent months a preliminary indication of this trend was seen in an exchange of several small properties between Middle West Utilities Co. and Associated Gas & Electric Co.

The fact that the chart legend indicates but two companies with merger possibilities should not be taken as implying that such developments are limited only to the systems so shown. The emphasis placed upon an amalgamation between Niagara Hudson Power and Consolidated Gas Co. of New York was merely the reflection of the unusual news interest built around those two companies at a time when negotiations involving a closer relationship were near to completion but subsequently failed. The same explanation applies to the indicated possible relationship between American Water Works & Electric and Standard Power & Light. These two organizations have long been in the limelight as merger prospects due to the geographical location of major subsidiaries.

The organizations shown on the chart—that is, those actually engaged in the utility business, and excluding the investment companies—represent all but a small percentage of the electric and gas utilities operating in the country. The gross earnings of the electric and gas divisions of the utility industry are, roughly, in excess of \$3,000,000,000 annually, while the aggregate capital probably would exceed \$17,000,000,000.

#### DEPORTATION OF ALIEN SEAMEN

Mr. KING. Mr. President, a number of years ago a so-called seamen's deportation bill was introduced into the Senate of the United States. Prior thereto there was offered to an immigration bill which was then under con-

sideration in the House of Representatives the provisions contained in the bill to which I have just referred. I have forgotten for the moment whether the amendment tendered was ruled out on a point of order or whether it was considered that the subject was hardly germane to the measure then under consideration. Later the bill was offered in the Senate and referred to the Committee on Immigration. The distinguished Senator from California [Mr. JOHNSON] was chairman of the committee. After hearings, at which the proponents and opponents of the measure were heard, the bill was reported, as I recall unanimously, from the committee, and it passed this body. Subsequently, in a succeeding Congress, a similar bill was offered, and again that bill, Senate bill 202, was reported to the Senate and passed by the Senate. In April of last year, as I recall, it received the approval of this body. A motion was made by the Senator from Maine [Mr. GOULD] to reconsider the vote by which the measure was passed. Owing to illness I was away from the Senate at the time, and the motion to reconsider has been pending since April or May of last year. I have urged from time to time that the motion to reconsider be disposed of, as I think it should be disposed of. I have tried to secure recognition from the Chair in order that the motion to reconsider might be taken up and acted upon by the Senate. I had hoped, when the conference report which has just been approved had received the final assent of the Senate, that it would then proceed to the consideration of the motion to reconsider.

I do not think, Mr. President, that there is anything so urgent in the appropriation bill the consideration of which the Senator from Washington has moved as to call for its immediate consideration rather than the consideration of the motion to reconsider, and therefore I appeal to my friend from Washington that he will now permit me to take up the motion to reconsider at this time.

Mr. JONES. Mr. President, inasmuch as the bill for which I have asked consideration is a regular appropriation bill and, in my opinion, we have reached the time in this session when we should get the appropriation bills at least into conference as soon as possible, I think its consideration should be proceeded with now. The bill will not take more than 10 or 15 minutes, and, if the Senator will allow it to go along, we can dispose of it in a few moments, and then he will have an opportunity to try to secure consideration of the motion to which he has referred. I can not, however, let the appropriation be laid aside for the motion to reconsider.

Mr. KING. Does the Senator know of any other measure to which preference will be given by the steering committee representing the majority or of any Senator representing the Appropriations Committee?

Mr. JONES. I am not a member of the steering committee, but there is no other appropriation bill immediately ready. That is all I can tell the Senator.

Mr. SHIPSTEAD. Mr. President, will the Senator yield to a question?

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Minnesota?

Mr. KING. I yield.

Mr. SHIPSTEAD. The bill the Senator has in mind, as I understand, has for its purpose, in part, to stop the bootlegging of orientals into this country and also to shut the door against immigrants who, under the guise of seamen, come into this country illegally by the thousands through the side door.

Mr. KING. That is the object of the bill. It is to prevent mala fide seamen coming into the United States, to prevent persons coming into the United States who, under the immigration laws, are excluded from entrance. We are very much concerned apparently these days to exclude aliens, and yet apparently we are unwilling to consider here a measure which would do very much to meet the situation.

Mr. SHIPSTEAD. Does the Senator know of any opposition to this bill except from the shipowners who hire aliens and orientals as members of the crews of their vessels?



Mr. KING. I have not received any information that it is opposed by any other group.

Mr. SHIPSTEAD. And also by shipping companies who bootleg immigrants into this country illegally?

Mr. KING. Those falling within the category referred to by the Senator, so far as I know, are the only opponents of the measure.

Mr. President, I appreciate the fact that Members of the Senate would be reluctant to postpone the consideration of an appropriation bill which is upon the calendar, and, if I can have reasonable assurance that the pending appropriation bill will be passed shortly, I shall be disposed not to ask that the motion of the Senator from Washington be rejected, because I fear, in view of the anxiety of Senators to have action on the appropriation bills, that I might be defeated in the movement which I should like to inaugurate.

Mr. JONES. As I said a moment ago, we ought to pass the pending appropriation bill in 15 or 20 minutes, or in even less time than that.

Mr. KING. In view of the statement made by the Senator from Washington and for fear that a motion to displace the appropriation bill might not succeed, I shall not now press for a vote upon the motion to reconsider.

#### MEDITERRANEAN FRUIT FLY

Mr. TRAMMELL. Mr. President, I have a little bill here the consideration of which, I think, will not take over two minutes. The chairman of the Committee on Agriculture and Forestry reported the bill a little while ago, and it is now on the desk. The bill was introduced by me and provides for a board of inquiry to consider the question of losses occasioned by activities to eradicate the Mediterranean fly in the State of Florida. It is a matter that has been pending for a long time. The bill has been unanimously reported by the committee with an amendment, and has been approved by the Agricultural Department. I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Let it be reported to the Senate.

The legislative clerk read by title the bill (S. 6119) to provide for an investigation and report of losses resulting from the campaign for the eradication of the Mediterranean fruit fly.

The VICE PRESIDENT. Is there objection to the immediate consideration of the bill?

Mr. KING. Mr. President, the bill may require some debate, and it seems to me, if we are going to have other measures now considered, in advance of the consideration of the appropriation bill, we might recur to the deportation bill to which I have referred and take that up for consideration.

Mr. TRAMMELL. I had hoped that the bill for which I have asked consideration would not provoke any discussion. It involves merely the appointment of a board to make an inquiry and submit a report. It has been delayed for two years, and it seems that this is about the only way we can get at it. The bill involves no appropriation or anything of that character.

Mr. KING. I should like to ask the Senator from Florida if the board is to be composed of officials of the Agricultural Department? If so, I will have some objection.

Mr. TRAMMELL. Two of the members of the board are to come from the Agricultural Department, two are to come from the State of Florida, and one at large.

Mr. KING. The reason I made the statement I did is that I have received a number of communications from persons living in Florida and from persons who visited Florida for the purpose of ascertaining whether any Mediterranean fly was there, and they reported that there were no evidences of the Mediterranean fly. This seems to be the basis for demand to be made for a very large appropriation out of the Treasury, and if the Agriculture Department shall make the investigation, as officials of that department are the ones who, I believe, made the improper report, obviously they will try to defend and excuse the report which they submitted.

Mr. TRAMMELL. I appreciate that situation; but, as I have said, there will be two members of the board from the Agricultural Department and two citizens of Florida, and then one at large. That is the idea that I have been trying to have adopted, namely, a board that will look at the matter from a purely impartial standpoint. That, I think, is better than to have the department itself make the investigation. The method proposed is about the best that could be devised.

Mr. KING. I think the Senator's bill ought to provide for an independent board, because there is no question that the department will attempt to justify what I regard as some of its illegal proceedings.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. FLETCHER. Mr. President, I hope the Senator from Utah will not object to the consideration of the bill. It provides for a preliminary survey to be made in order to base any possible claim for compensation. Some mistakes were made in Florida in connection with the eradication of the fruit fly, and this is a necessary preliminary survey. The funds are available with which to make it, and I think the board will be a perfectly fair and proper board.

Mr. WATSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Indiana?

Mr. TRAMMELL. I yield.

Mr. WATSON. Reserving the right to object, I desire to make the observation that if the bill will occasion debate I shall object to it, because it will supplant the appropriation bill.

Mr. TRAMMELL. I do not think it will occasion any debate. It has been very carefully considered and has been reported unanimously, with an amendment, and in its present form, with the amendment, has been recommended by the Agricultural Department. This seems to be the only way that we can get this matter investigated.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. KING. Mr. President, will the Senator consent to amend the bill so that there will be some independent member of the board? I confess that I should be utterly unwilling to allow the Department of Agriculture, in view of the report they made which has caused all this trouble, to make the survey; and, of course, the member selected from Florida would be interested in obtaining an appropriation.

Mr. WATSON. Mr. President, for the time being I object.

#### LEGISLATIVE APPROPRIATIONS

The VICE PRESIDENT. Objection is made. The question is upon the motion of the Senator from Washington.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 16654) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1932, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. JONES. I ask unanimous consent that the formal reading of the bill may be dispensed with and that the bill may be read for amendment, the committee amendments to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The clerk will read the bill.

The Chief Clerk proceeded to read the bill.

#### ADJUSTED COMPENSATION OF WORLD WAR VETERANS

Mr. VANDENBERG. Mr. President, I do not want to interrupt for but a moment the progress of the pending appropriation bill; but I have here an exhibit which I think should be in the hands of the Finance Committee of the Senate and available to the Ways and Means Committee of the House in connection with their consideration of the veterans' adjusted-compensation problem in the phase in which it now comes to a climax.

Apparently it comes to a climax in a form contemplating the increase of the loan privilege upon these certificates to



50 per cent and a reduction of the interest rate at least to  $4\frac{1}{2}$  per cent, and apparently all objections heretofore urged against prior plans have disappeared except the suggestion that the Treasury will find it impossible or difficult to finance the undertaking. Therefore we make progress. But we still confront the Treasury view that this financing will be fatefully perplexing.

I desire to present for the RECORD a newspaper release which was given to the public by the Secretary of the Treasury on January 2, 1925, that being the day when he established the initial system for setting up the Veterans' Bureau maturity fund, out of which money should be available for loans upon the compensation certificates and for the retirement of the certificates when their maturity should be reached.

I am going to ask subsequently that the entire statement be referred to the committee and printed in the RECORD; but for the moment I wish to call attention to one or two paragraphs in it.

I call attention to the paragraph which describes what the Secretary of the Treasury contemplated in arranging for the financing of these certificates. I read:

Cash demands of the fund can be immediately satisfied by the redemption by the Treasury of the special certificates of indebtedness and the whole plan has great flexibility.

The special certificates referred to in this quotation are the Treasury certificates of indebtedness deposited from year to year in the fund to amortize the maturity values of the adjusted-compensation certificates themselves. There now are over \$700,000,000 of these Treasury certificates in the amortization fund in the Veterans' Bureau.

Now, Mr. President, if the Secretary of the Treasury created a system which had in it sufficient flexibility, as he said, so that the maturity fund could be called upon for the obligations which it might confront, he also created a fund out of which the present situation can be adequately and easily met, for the following reasons:

There is to-day a 22 per cent loan liability upon every outstanding certificate. That existing liability to-day totals \$725,000,000 without any change in existing law whatever. In other words, the veterans who have these certificates in their possession to-day have an indisputable right at present to demand \$725,000,000 by way of loans from the Treasury. They have a right to expect that the system, as set up by the Secretary of the Treasury and as described by him on January 2, 1925, has sufficient flexibility—that being his word—to liquidate the loans that are eligible under the certificates as they are to-day.

I repeat that the loans to which that fund could be made responsible at this hour, without any additional legislation, total at least \$725,000,000, although much less than half of this sum has been called for by the veterans. However, not a single penny of this maturity fund has been drawn upon for any certificate loans at all, because they have been financed from the war-risk insurance fund; and if that \$725,000,000 were liquid to-day, as it was contemplated that it should be available when the Secretary set up his system as described on January 2, 1925—if it were available in the "flexible form" which he there described, there would be ample funds, in my humble judgment, available at the moment to liquidate every loan which will be demanded by the veterans who might embrace the new loan privilege which we are contemplating.

That, of course, involves the question of how many veterans are going to seek the increased advance.

At the present moment, out of 3,500,000 veterans who have an existent loan privilege, only 1,500,000 have exercised it—only 1,500,000, in spite of the fact that we have gone through what we certainly all hope is the peak of our economic difficulties. Therefore, within the numbers of 1,500,000 of these veterans is probably accumulated the maximum of those who are in need. If that is a fair assumption, and if the average loan which those veterans already have made is the limit of 22 per cent, and if they in turn would be permitted to enjoy an average maximum right of additional loans at \$300 apiece under the new plan, the total draft upon the Treasury for loans under the plan

contemplated would be but \$450,000,000, which would be, I repeat, only a little more than half of the actual liability which the Treasury confronts to-day under the existing loan schedule if all veterans were to embrace their loans.

The thing I am emphasizing is that the Secretary of the Treasury, when he set up this system as described in his release of January 2, 1925, insisted that he had created a system with enough flexibility in it to meet the obligations thus involved, and I believe he really did.

Now, he also says—and I speak with the greatest respect for him—in the statement that he gave the Associated Press respecting the situation which we contemplate, he says:

This proposal—

Meaning the increased loan proposal—

This proposal establishes a potential liability of \$1,720,000,000.

I submit that it takes a very literal reading of the pending proposal to come even remotely within that statement by the Secretary of the Treasury. Why? Because out of that \$1,720,000,000 there exists to-day a liability for \$725,000,000, and therefore the new proposal does not create a liability of \$1,720,000,000. It creates only a portion of this total liability. It seems to me that as we are approaching the climax of this legislation all of us should be exceedingly careful to be scrupulously accurate when we are submitting our figures to the public and when we are discussing the problem in the Congress lest the public be given a needless scare respecting what may be involved in the pending legislation.

The distinguished Secretary of the Treasury also says in this statement respecting the pending loan plan, as he defines the various fiscal situations that must be met in the near future, that something like \$6,000,000,000 of obligations will mature in the year 1938; and he says:

It is unthinkable that \$6,268,000,000 of obligations should be allowed to mature in the single year 1938.

If it is unthinkable that this particular obligation should be allowed to mature in 1938 all at one time and without arrangements to retire it, then it is unthinkable that the ultimate maturity of these veterans' compensation certificates in 1945 should approach without a single penny of actual cash to meet them; and, if the situation in the one instance is wrong, it is wrong in the other. One of the virtues of this loan plan which is contemplated—a plan, please let it be remembered, which does not increase the tax cost of compensation certificates by a single penny—one of the virtues of it is that it does put a cushion underneath the maturity in 1945, and permits us to approach step by step the ultimate necessity to pay out three and one-half billion dollars.

I insist that if there is in the Treasury's program, as announced in 1925, the flexibility which was contemplated when it was set up pursuant to the exhibit I am offering, there must be enough flexibility in it, if it is in remote degree true to the specifications under which it was created, to meet this simple program, which has no other object except to unfreeze inherent values already existing in these certificates in the possession of these veterans.

I want to call attention to just one other paragraph in this release. This bears upon the question of what rate of interest it would be appropriate to charge against the veterans' loans, if and when the new legislation shall be perfected. As I understand it the bill as it impends in the House is proposing to charge  $4\frac{1}{2}$  per cent on the loans. I read as follows from the release by the Secretary of the Treasury on January 2, 1925:

No purpose is gained by the investment of the fund in securities returning more than 4 per cent compounded annually, since this would simply mean an accumulation in the fund of more money than was necessary to meet payments.

In other words, there is no object whatever in putting any investment into the maturity fund which yields more than 4 per cent, because the maturity fund is figured upon a 4 per cent amortization. Therefore these loans which are to be put into the maturity fund in substitution for existing certificates of indebtedness in that fund do not need to carry more than 4 per cent, and under the specific state-



ment of the Secretary of the Treasury himself not more than 4 per cent is needed in order to keep the system absolutely upon an even keel.

The thing I am saying is in no sense a criticism of the Secretary for being scrupulously careful in a very difficult and delicate guardianship with which he is charged. What I do think is that when the problem finally has come down to the irreducible minimum of a loan plan which is absolutely sound in its inherent fundamentals, it is about time for us to have a bit of sympathetic consideration instead of a constant and unyielding negative attitude.

Mr. President, none of us wants to impair the country's general situation or impede the country's general recovery by any well-meaning but ill-advised action respecting these veterans' certificates. It would be disservice to the veteran himself, because he will get a larger dividend from renewed prosperity and a recaptured job than from a partial liquidation of his certificate. The Treasury has rather firmly sustained its original objections to full and immediate cash payment in so far as those objections involved possible fiscal repercussions in the general economic life of the Nation. I do not criticize these original objections of this particular type. Nor do I criticize the business men of the Nation who in good conscience have supported this same view. Foresight is better than hindsight in these matters. But now that all other plans have been apparently put aside except the loan plan, the plan which I originally presented to the Congress on January 21, I do beg of Congress a fair conception of this prospectus. Let it be assessed with courageous wisdom, free of needless and unsustained timidity. It is an optional plan. Veterans who do not want it need not embrace it. Those who are in distress can turn to it with substantial measure of relief. No new tax is created, because the plan is self-contained. No new values are added to the adjusted compensation, because we merely make inherent but heretofore unrecognized values liquid.

The Government has complete security for every dollar advanced. The Government's sole task is to finance these secured loans. There is no good reason to expect them to overrun \$750,000,000, approximately the sum now represented by Treasury certificates in the compensation maturity fund. In addition, this next fiscal year's appropriation to the general sinking fund is \$409,000,000, and this money, under the law, may be dedicated to these Treasury certificates. I have enough confidence in the Treasury to believe that it can meet the situation without any element of disaster if it be so minded. It promised as much, at least within the limits of my prophecy respecting the operation of this loan plan when it made its initial arrangements respecting these certificates in 1925. The veterans are entitled to any consideration we can give them without doing greater general harm than we do specific good. Within this loan plan is some degree of relief, better far than none at all. Within this plan is the economic stimulant of a substantial mass distribution of now frozen credits.

I ask that the Treasury statement of 1925 in full be printed in the Record and referred to the Finance Committee for its consideration.

The PRESIDENT pro tempore. Without objection, the statement will be printed in the Record and sent to the Committee on Finance.

The statement is as follows:

[For release, afternoon papers, Friday, January 2, 1925]

TREASURY DEPARTMENT.

The Secretary of the Treasury to-day made the following statement:

The adjusted compensation act provides for an appropriation on the 1st of January in each year to the adjusted-service certificate fund of an amount, based upon the American experience table of mortality, which, if kept invested at 4 per cent compounded annually, would be sufficient to pay the face value of the adjusted-service certificates upon their maturity in 20 years or upon prior death of the veteran. The Secretary of the Treasury is authorized to invest and reinvest the moneys in the fund in interest-bearing obligations of the United States and to sell these obligations for the purposes of the fund.

In order that the fund shall be sufficient to meet the payments in accordance with the plan outlined by the act, it is necessary that the moneys be invested when received and kept invested until payments out of the funds are required. No purpose is gained by

the investment of the fund in securities returning more than 4 per cent, compounded annually, since this would simply mean an accumulation in the fund of more money than was necessary to meet payments. On the other hand, if less than 4 per cent, compounded annually, is received, the fund will be insufficient to meet all payments to become due. There are no Government securities in the hands of the public bearing interest payable annually (as distinguished from semiannually) and none which give the exact return of 4 per cent annually on their market price. During each year the fund will be drawn upon to pay certificates matured on account of death, and this continuous liability will require almost daily realization of cash, which can only be obtained by the sale or redemption of securities in the fund. The greater part of the fund will remain intact until the maturity of the certificates at the expiration of 20 years, at which time cash will have to be realized. Since the securities then in the fund will probably not be suited to existing market conditions, the likely solution at that time will be for the Treasury to redeem the securities in the fund with the proceeds of new securities which will meet the market then existing. It is apparent, therefore, that the purchase for the fund of any of the present outstanding Government securities will not meet the exact requirements of the fund and will probably be unsatisfactory for sale when on maturity of the certificates the major fiscal operation to provide cash must be undertaken.

If the Treasury were in the Government bond market on the 1st of January in each year to buy \$100,000,000 of its securities, the purchases could not be made in one day, nor could such a large order be filled without unduly increasing the market price which the fund would have to pay. If, also, the Treasury in the course of the year were required to sell securities to provide the fund with cash, the tendency would then be to depress Government securities on the market. So if the practice of buying and selling on the open market were used, the Treasury would be continually purchasing on a high market and selling on a low market.

The \$100,000,000 called for by the adjusted compensation act for January 1, 1925, was authorized by the deficiency appropriation bill signed December 5, 1924. The Secretary of the Treasury has invested this sum in \$50,000,000 par amount 5-year special Treasury notes, dated January 1, 1925, and payable January 1, 1930, and in \$50,000,000 par amount special Treasury certificates of indebtedness, payable one year from date, with right in each case of certain prior redemptions. Both securities call for interest at 4 per cent per annum, payable annually, or on the prior redemption of the security. It is expected that these special certificates of indebtedness will be redeemed from time to time during the year to provide the fund with cash with which to meet current obligations; that any such certificates remaining unredeemed at the expiration of the year will be refunded into other certificates or into notes; and that at the maturity of the notes they will be refunded into securities of similar tenor until payments become due on the maturity of the adjusted-service certificates, some 20 years later.

This method of handling the adjusted-service-certificate fund has the following advantages:

1. The securities exactly fit the actuarial requirements which are by law made the basis for fixing the appropriations for the fund.
2. The bond market is not disturbed by a purchase of a very large block of securities early in January and by a subsequent continuous pressure for the sale of securities to provide cash for the fund throughout the year, the effect of which would be buying on a high market and selling on a low market.
3. Commissions to brokers on the purchase and sale of Government securities are saved.
4. It is not necessary to borrow on December 15 (the usual financing day nearest January 1) additional cash and carry this cash, with a consequent loss of interest, until it can be invested in Government securities on the market after the first of the year when the appropriation becomes available.
5. Cash demands of the fund can be immediately satisfied by the redemption by the Treasury of the special certificates of indebtedness, and the whole plan has great flexibility.
6. When the adjusted-service certificates mature, about 1944, the Treasury will be in position to do the necessary financing to meet the conditions then existing, without being compelled to sell a lot of miscellaneous Government securities, perhaps unsuited to the market and to the Treasury's program.

The working of this plan can best be illustrated by its first operation. On December 15, 1924, the Treasury, in addition to any money to purchase investments for the fund, required \$225,000,000 to carry it through to the next financing period in March, 1925, and sold for cash about \$225,000,000 of its 4 per cent bonds of 1944-1954. As of January 1, 1925, the Treasury sold to the fund \$100,000,000 of its special notes and special certificates of indebtedness, making total sales in December and January of \$325,000,000 of Government obligations. This was the plan actually used. Had the other method of applying the appropriation to the purchase of securities in the open market been adopted the Treasury would have had to sell for cash \$325,000,000 of its bonds on December 15, 1924, and consequently would have lost the interest on \$100,000,000 from December 15 until the securities for the fund could be bought on the market after January 1, 1925. There is, as will be noted, no difference in the final amount of public debt incurred between the plan of selling special securities direct to the fund and the plan of using the fund to buy securities in the market. In either case the fund would hold \$100,000,000 of Government obligations and there would be \$100,000,000 less of such obligations in the hands of the



general public. It seems quite clear, therefore, that the sale of the special securities direct was the only feasible way of handling the investment required by the Congress.

Mr. REED. Mr. President, the bill about which the Senator from Michigan speaks is not now before the Senate. I understand that it was introduced only a few hours ago in the House of Representatives, and, of course, it is difficult to discuss it without having seen it and without knowing in what form it will pass the House of Representatives.

We have had before the Finance Committee proposals which call for increases in the loan value or immediate cashing at a percentage of the face value of the bonus certificates and others which call for an immediate bond issue to pay the full face value of the bonus certificates outstanding. Those proposals have ranged all the way from half a billion dollars or thereabouts up to three and one-half billion dollars which it was proposed to raise by an immediate issue of bonds by the United States Government.

Most of those measures are now recognized to be impossible, but the same sort of criticism which is now made of the Secretary of the Treasury by the Senator from Michigan was made two weeks ago by the advocates of the bond issue of three billion and a half dollars. The same denunciation, and even more severe denunciations, was voiced by those who thought that the Treasury at this time, in the midst of the worst depression we have ever seen in American industry, could go out and sell to the public an issue as big as was one of the Liberty bond loans, which required organized effort, and an appeal to the strongest motives of patriotism of the American people, to sell in the middle of the World War.

The advice of the financiers who said that to sell such an issue in peace time, even when prosperity was reigning, would be impossible, and that to try to sell such an issue now in the middle of this depression would be doubly impossible, and would be disastrous to American business, has been ridiculed by the proponents of the bonus-cashing scheme from the moment it was first uttered, and it is only now that they are beginning to realize that the common sense of the American people was affronted by that suggestion.

We can argue this question next week when the bonus bill gets over here, and I am not going to delay the consideration of the appropriation bill by a long discussion of the pros and cons of the thing. I do want to say, however, that my correspondence—and it has been very voluminous—indicates that a very substantial body of opinion among the veterans themselves is opposed to such imposition upon the Treasury at this time, and that the veterans who rose to the defense of their country when it was in danger 12 years ago do not want now to lean so heavily upon its Treasury, when its industry and commerce are in danger, as they seem to have been during recent months.

I have one letter from a post of the American Legion in Pittsburgh, to which no one is eligible unless he served a year in the American Expeditionary Forces. There are no home stayers in it. The qualification for admission to that post is a year's service in France. More than half of the members were wounded in action, some of them permanently and totally disabled. There was a big meeting of the post; and, mind you, the members of this post are no rich fellows; they live in one of the less fashionable parts of the city of Pittsburgh. They were unanimous in denouncing all of these bonus bills. They said, "That is not what we want to do to our country."

I have a letter from one of the members of that post telling of the meeting and of the unanimous vote which they cast against these bills, and I will put that letter into the RECORD when we get to the consideration of the bill next week, together with lots of other letters from veterans in Pennsylvania and other States, all saying that they do not want the bonus thrust on the Treasury now as an additional burden in these times of difficulty. But enough of that for the present.

I ask permission to insert in the RECORD at this point the letter of the Secretary of the Treasury, written yesterday,

to Chairman HAWLEY, of the Ways and Means Committee of the House.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MY DEAR MR. HAWLEY: In response to your request that the Treasury comment on H. R. 17054, with particular reference to the financial requirements which it creates and the probable effects on the Government finances and public-debt operations, I submit the following:

The bill amends the war adjusted compensation act by increasing the loan value of certificates up to 50 per cent of their face value. As the face value of these certificates is \$3,440,000,000, in round numbers, this proposal establishes a potential liability of \$1,720,000,000. What proportion of these loans will be demanded by the veterans can not be determined. It will depend upon the circumstances. The estimates run all the way from \$550,000,000 to \$1,000,000,000 of loans beyond those already made. The suggested use of the adjusted-service-certificate fund does not alter the situation, as these reserves are in Treasury obligations, which will need to be converted into cash by means of sales of securities to the public in order to pay cash to the veterans.

#### ONLY \$751,000,000 AVAILABLE

In this connection I think I should call attention to the fact that the only funds made available for meeting this liability of \$1,720,000,000 are those in the adjusted-service-certificate fund, amounting to \$772,000,000, less \$21,000,000 which must be reserved for the payment of death claims this year. This would indicate that unless Congress is prepared to incur an obligation without providing means of meeting it an appropriation of approximately \$1,000,000,000 is necessary.

Aside from the merit or demerit of the proposal, the important consideration is the amount of cash that can be obtained by the Treasury through borrowing without disorganizing the finances of the Government and adversely affecting the security market, to which the Government must resort to cover its obligations.

This question can not be dissociated from the present financial situation of the Treasury. That position is at best a trying one at this time, and the difficulty of obtaining these additional great sums can not be fairly appraised if considered alone or as if times were normal but only if this consideration is made a part of the general picture and viewed against the background of the great financial problems already facing the Treasury.

We are confronted with a probable deficit of not less than a half billion dollars for this fiscal year which must also be made good by borrowing. The revenues of the Government are steadily falling behind not only the figures of last year, but below what we reasonably expected to receive at the beginning of this year.

#### RELIEF ADDS TO DRAIN ON TREASURY

In addition to the normal expenditures of the Government we have been called upon to find funds for emergency purposes of various kinds, including relief measures and an increase in public works and construction activities of the Government for purposes of increasing employment. For construction work alone we will spend this year over \$600,000,000, as compared with \$275,000,000 in 1928.

If the bill in its present form becomes law, the funds to be provided must be raised either in the first instance or at a comparatively early date by long-term bond issues. The Treasury, even without this burden, is already in a difficult position. A statement of the public-debt situation will make this entirely clear.

There is at present outstanding a short-term debt of approximately \$2,000,000,000, which, under existing circumstances, is already too large. On March 15 next, \$1,109,000,000 of old obligations mature. In June, 1932, \$1,933,000,000 of first Liberty Loan bonds become callable, of which \$536,000,000 bear 4½ per cent interest. In October, 1933, \$6,268,000,000 of fourth Liberty Loan 4½ per cent bonds become callable. Irrespective of the desirability of retiring the \$536,000,000 first Liberty Loan 4½ per cent bonds and the \$6,268,000,000 of fourth 4½ per cent Liberty Loan bonds because of the high interest rate they bear, it is obvious that refunding operations must be undertaken in 1933, since it is unthinkable that \$6,268,000,000 of obligations should be allowed to mature in the single year 1933. It is evident, therefore, that important refunding operations must be undertaken both in the immediate and in the near future.

#### SEES INCREASE IN PUBLIC DEBT THIS YEAR

On June 30 our short-term debt amounted to something over \$3,000,000,000. At that time it was reasonable to anticipate that ordinary debt retirements through sinking fund, foreign repayments, and other smaller amounts, would permit the reduction of the short-term debt by about \$1,800,000,000 in the 3-year period ending June 30, 1933. Present indications are that there will be no decrease in the public debt but rather an increase this fiscal year, and a very material cut in the estimated debt retirement figures for 1932 and 1933. So that in the 3-year period the public debt will be reduced by probably not more than \$800,000,000, or \$900,000,000, leaving a short-term debt outstanding on June 30, 1933, of approximately \$2,200,000,000. This is altogether too large an amount in view of the necessity of making provision for the fourth Liberty Loan bonds in October, 1933. At least a billion dollars should be refunded sometime before that date. If to this be added \$700,000,000 or more required for loans on adjusted-service certificates, it becomes apparent that, leaving out of considera-



tion the first 4¼ per cent Liberty Loan bonds, it will become necessary to undertake in the course of the next 28 months, exclusive of those of March 15 next, refunding operations to the extent of \$1,000,000,000 and, in addition, to raise \$700,000,000 more or less of new money which directly or indirectly must be obtained through the medium of long-term securities.

Coming to the operations that must be confronted next March, if the Treasury is obliged to borrow \$400,000,000 to take care of the potential loans that may have to be made until the June quarter day, the Treasury will be obliged to offer \$1,500,000,000 in securities in a single month, of which \$1,100,000,000 will be of a refunding character and \$400,000,000 will have to be sold to new buyers to obtain additional funds.

#### CITES DIFFICULTY IN FINANCING

The Treasury wishes earnestly to call attention of the committee to the cumulative effect of all these factors which make the problem of current financing extraordinarily difficult, particularly in view of the desirability of the Government's not making too great demands upon the investment market at this time. I regret that I can not, in view of the situation explained above, approve of the Treasury assuming the obligations imposed by this bill.

I can not too urgently recommend that this measure should have consideration in order that it should be placed upon a basis which will not damage our whole financial position.

Sincerely yours,

A. W. MELLON,  
Secretary of the Treasury.

WILLIS C. HAWLEY,  
Chairman Committee on Ways and Means,  
House of Representatives.

#### HOOVER AND LINCOLN

Mr. WHEELER. Mr. President, I send to the desk an editorial appearing in the Washington News of last night, and ask unanimous consent that it be read.

The PRESIDENT pro tempore. Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

#### HOOVER'S LINCOLN

Listening to the President's radio address last night we gathered that Lincoln was an early edition of Hoover. We learned that there was a close similarity between Hoover policies and what the policies of Lincoln would be were he living to-day.

Lincoln would be pleased with the status of the negro to-day, we were told. We had supposed that Lincoln would be grieved by the nullification of the negro's political, legal, and economic rights.

Lincoln was a great party man, we were told. We had supposed that his indifference to party regularity drove him to form a new party. As to the Republican party, we were rather surprised to hear Hoover say that Lincoln's "tradition has dominated it to this day." It had never occurred to us to link the name of the Liberator to the methods of Hoover's party managers, Huston and Lucas.

"You will find," said Hoover, "Lincoln addressing the country in strong and urgent support of the protective tariff." We are still trying to figure out any connection between Lincoln's desire to protect the infant industries of 1860 and Hoover's recent tariff subsidies to the giant no-longer-infant industries which dominate the Nation.

To the 7,000,000 unemployed and equal number of part-time employed, Hoover gave the solace that his Government has "avoided the opiates of Government charity and the stifling of our national spirit of mutual self-help." He added that this was "Lincoln's way."

We had supposed that Lincoln's way would be to feed the hungry.

But after all, what we think or what Hoover thinks Lincoln might have done in 1931 is a rather futile guessing game best left to Republican politicians accustomed to using a great name for their own purposes.

Mr. SHORTRIDGE. Mr. President, an inquiry. Who is the learned Theban who wrote that document which has just been read?

The PRESIDENT pro tempore. It is an editorial from the Washington News of yesterday, presented by the Senator from Montana [Mr. WHEELER].

Mr. SHORTRIDGE. Author unknown?

Mr. WHEELER. It is one of the many Scripps-Howard papers, and I presume this editorial will appear as one of the leading editorials in all of the Scripps-Howard papers throughout the United States, including California.

Mr. SHORTRIDGE. The author thus far is unknown to the world, I take it?

Mr. WHEELER. Oh, no. The editor of the paper is Mr. Lowell Mellett, and if the Senator has any remarks to make concerning the editor of the paper, I would be very pleased to have him make them at this time.

Mr. SHORTRIDGE. He never wrote that article.

Mr. WHEELER. He is the editor of the paper, and his name appears just above the editorial.

#### NOMINATION OF EUGENE MEYER

Mr. WAGNER. Mr. President, I would like at this time to present a unanimous-consent request for the consideration of the Senate. I ask that the clerk read it.

The PRESIDENT pro tempore. The proposed unanimous-consent agreement will be read for the information of the Senate.

The CHIEF CLERK. The Senator from New York proposes the following unanimous-consent request:

Ordered (by unanimous consent), that on Saturday, February 21, 1931, at 12 o'clock noon, the Senate proceed to the consideration, in executive session, of the nomination of Eugene Meyer to be a member of the Federal Reserve Board; that pending its consideration no other business shall be transacted except by unanimous consent, and that a vote on the question of the confirmation of the said nomination be had on Monday, February 23, 1931, at not later than 2 o'clock p. m.

The PRESIDENT pro tempore. That would require the calling of a quorum.

Mr. WAGNER. I am informed that the rules do not require that.

Mr. LA FOLLETTE. I think we should have a quorum, and I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Shipstead
Barkley	Fletcher	La Follette	Shortridge
Bingham	Frazier	McGill	Smith
Black	George	McKellar	Smoot
Blaine	Gillett	McMaster	Steiwer
Blease	Glass	McNary	Stephens
Borah	Glenn	Morrison	Swanson
Bratton	Goff	Morrow	Thomas, Idaho
Brock	Goldsborough	Moses	Thomas, Okla.
Brookhart	Gould	Norbeck	Townsend
Broussard	Hale	Norris	Trammell
Bulkeley	Harris	Nye	Tydings
Capper	Harrison	Oddie	Vandenberg
Caraway	Hatfield	Partridge	Wagner
Carey	Hayden	Patterson	Walcott
Connally	Hebert	Phipps	Walsh, Mass.
Copeland	Heflin	Ransdell	Walsh, Mont.
Couzens	Howell	Reed	Waterman
Cutting	Johnson	Robinson, Ark.	Watson
Dale	Jones	Robinson, Ind.	Wheeler
Davis	Kean	Schall	
Dill	Kendrick	Sheppard	

The PRESIDENT pro tempore. Eighty-six Senators having answered to their names, a quorum is present. The Senator from New York proposes a unanimous-consent agreement, which will be read for the information of the Senate.

The CHIEF CLERK. The Senator from New York offers the following order:

Ordered (by unanimous consent), that on Saturday, February 21, 1931, at 12 o'clock noon, the Senate proceed to the consideration, in executive session, of the nomination of Eugene Meyer to be a member of the Federal Reserve Board; that pending its consideration no other business shall be transacted except by unanimous consent, and that a vote on the question of the confirmation of the said nomination be had on Monday, February 23, 1931, at not later than 2 o'clock p. m.

The PRESIDENT pro tempore. Is there objection?

Mr. COUZENS. Mr. President, I am going to object to any unanimous-consent agreement of any kind until the question of World War veterans' adjusted-compensation certificates has been disposed of by the Congress.

The PRESIDENT pro tempore. Objection is made.

#### LEGISLATIVE APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 16654) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1932, and for other purposes.

The PRESIDENT pro tempore. The reading of the bill will be resumed.

The Chief Clerk resumed the reading of the bill.

The first amendment of the Committee on Appropriations was, under the heading "Senate—Office of the Secretary," on page 3, line 3, before the words "file clerk," to strike out



"two executive clerks" and insert "executive clerk," and at the end of line 12, to strike out "\$121,700" and insert "\$118,520," so as to read:

Salaries: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, \$8,000; assistant secretary, Henry M. Rose, \$4,500; Chief Clerk, who shall perform the duties of reading clerk, \$5,500 and \$1,000 additional so long as the position is held by the present incumbent; financial clerk, \$5,000 and \$1,000 additional so long as the position is held by the present incumbent; assistant financial clerk, \$4,200 and \$600 additional so long as the position is held by the present incumbent; minute and journal clerk, \$4,500 and \$1,000 additional so long as the position is held by the present incumbent; principal clerk, \$3,840; legislative clerk, enrolling clerk, and printing clerk at \$3,540 each; chief bookkeeper, \$3,600; librarian, \$3,360; executive clerk, file clerk, and assistant journal clerk at \$3,180 each; first assistant librarian, and keeper of stationery at \$3,120 each; assistant librarian, \$2,460; skilled laborer, \$1,740; clerks—two at \$3,180 each, one \$2,880, one \$2,760, two at \$2,400 each, two at \$2,040 each; two assistant keepers of stationery at \$2,040 each; assistant in stationery room, \$1,740; messenger in library, \$1,560; special officer, \$2,460; assistant in library, \$2,040; laborers—two at \$1,620 each, three at \$1,380 each, one in stationery room, \$1,680; in all, \$118,520.

The amendment was agreed to.

The next amendment was, under the subhead "Capitol Buildings and Grounds," on page 24, line 3, after the words "city directory," to strike out "\$345,555" and insert "\$352,695," so as to read:

Capitol Buildings: For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel oil, waste, and appurtenances; furnishings and office equipment; personal and other services; cleaning and repairing works of art; purchase or exchange, maintenance, and driving of motor-propelled passenger-carrying office vehicles; pay of superintendent of meters, and \$300 additional for the maintenance of an automobile for his use, who shall inspect all gas and electric meters of the Government in the District of Columbia without additional compensation; and not exceeding \$300 for the purchase of technical and necessary reference books, periodicals, and city directory; \$352,695, of which \$28,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 24, after line 4, to insert:

The unexpended balance of the appropriation of \$500,000 for the reconstruction of the Senate wing of the Capitol, contained in the legislative appropriation act for the fiscal year 1929, is hereby continued and made available until expended.

Mr. REED. Mr. President, I hope this amendment will not be agreed to. This was originally an appropriation of \$500,000 to change the Senate Chamber. The plan was to move it to the northward so it would be against the extreme outside north wall of this wing. The whole appropriation remains unexpended although it was made about three years ago. The plans that were prepared and submitted to the Rules Committee for the change were so unsatisfactory that no member of the committee was willing to proceed with the change according to those plans. The architects came back with a new set and still no one was satisfied with the plans.

Mr. President, the Chamber in which we are meeting is acquiring a tradition. It is amply adequate for the work of the Senate. We are all accustomed to it and the country is accustomed to it. There is plenty of room here. The acoustics is good. The ventilation has been much improved. We get better air at all times and cool air in the summer time. Why not stay where we are and not spend \$500,000, which comes out of an overtaxed Treasury, merely in order to give a momentary satisfaction to us of having changed the architecture of the Chamber? It may be that in generations to come that this will be far handsomer in their eyes than the Chamber we propose to build up against the north wall of the Senate wing. It may be they will like this Chamber better than anything our taste will produce in this day. As long as this is adequate, as long as most of us are thoroughly well satisfied with it, and as long as an extravagance like this is not necessary in this time, let us not do it. Let us ourselves set the example of economy in things like this, which we are going to ask the rest of the country to follow.

Mr. BINGHAM. Mr. President, the Senator from New York [Mr. COPELAND] is a member of the Rules Committee and is interested in this amendment. He stepped out of the Chamber for a moment, and it had been my intention to occupy the floor merely until he returned. I see that he has returned and is in his seat.

While I am on my feet, however, may I say that there is no intention so far as I know of spending the money immediately. It has already been appropriated and reappropriated twice, but the appropriation will lapse now unless it is continued. It is true that the plans which have been prepared are not satisfactory, and that nothing will be done until satisfactory plans have been prepared. But I do hope that the Senator from Pennsylvania will withdraw his objection for the reason that I believe it will be possible to prepare plans which would be attractive and, all questions of taste aside, would at least give this Chamber access to outside light and reflection from the sky, which would be far better for us than being in this bomb-proof cellar which was devised at a time when Senators were afraid lest somebody might throw a bomb into this body, at a time when presumably it was less popular than it is now, if such may possibly be the case.

Mr. President, the idea is not to beautify the Chamber. It is to make it more healthy, as I am sure the Senator from New York [Mr. COPELAND] will tell us in a few moments. It is a very striking fact and one which can not be too often called to the attention of Senators that there is no other body of this size in the world which has as high a death rate as this body. Out of the 96 Senators, during the past 7 or 8 years at least 3 have died each year, and if there is anything that can be done to cause the Members of this body to enjoy greater health and to prolong their lives, it seems to me that no one should object to it even though future generations may prefer the shape of this room to that which might be designed by the architects.

Mr. COPELAND. Mr. President, we prepared some plans for remodeling the Chamber and after they had been more or less perfected serious opposition developed from the press gallery. Under the plans as they were proposed, in the first place the north wall of the Chamber was to be carried to the outside north wall of the Senate wing. The press gallery was to be located where the Members' gallery now is. It was pointed out by members of the press gallery that that would be a serious objection to them, that they could not hear perhaps all that was said on the floor, and perhaps it would be to their disadvantage to miss some of it.

However, a study of the plan reversed the seating arrangement so that the Vice President would sit where the main entrance door is toward the House side of the Capitol, and the press gallery would be a widened part of the space where the diplomatic gallery now is, with enough more added to give them ample room for their labors.

Then more recently a subcommittee of the Committee on Rules, with the United States Bureau of Efficiency and the Bureau of Standards, have been making a survey of the fire hazards of this building. I hate to speak of this because it always makes us uncomfortable to think that we may be burned up. We seem to be more distressed about that than we may be about other things even more important. But the Bureau of Standards has reported this fact:

The sloping wooden floors of the Senate and House legislative Chambers, built above fireproof floors with a space at the rear of the rooms of several feet between the floors, endanger these Chambers seriously. Fires might be started above the wooden floors or beneath them from the electric wiring or from carelessness. The wooden flooring of the galleries and the wooden furniture add to the danger which involves not only the two legislative Chambers, but also the cloak rooms, retiring rooms, and adjacent committee rooms and offices. The only effective way to eliminate the fire hazard in the legislative Chambers lies in replacing the wooden floors with fireproof material.

It develops that in the construction of this Chamber the fire hazards were not given the same consideration that they are given at present, and that the entire structure on which we stand and which we see here is of wood. A cigarette dropped or a live wire beneath the floor would start a



fire which, unless given immediate and prompt attention, would destroy the Chamber; not only destroy it structurally, but the smoke would destroy valuable frescoes and properties in other parts of the building.

The galleries which we see here are built upon wood. Even the walls are camouflaged, in a sense, being merely plaster on wood, constituting what may be termed a "tinder box," which might readily take fire and destroy the Chamber and ruin the building.

Mr. President, I was long ago convinced—and the position which I take is indorsed by very prominent medical and scientific advice—that nothing can be more insanitary or unhealthful than to live in a room devoid of natural light. We spend much time here in artificial light. At present the light from the ceiling is not sky shine or daylight; it is artificial light. The only natural light coming into the Chamber is just a little bit that filters through the doorway at the east entrance and the doorway at the opposite entrance, causing a condition that is most dangerous to health. Unfortunately the physical effects which come from such bad living conditions are most severe upon the Senators who are most faithful in their attendance here. A premium really is put upon absence. The Senators who come here day after day and live in this atmosphere—and I am speaking now of the physical atmosphere—are sure to suffer physically. Since I have been in the Senate, if I remember correctly, 36 or 37 Senators have died. Of course, the majority of them would have died anyway, no doubt, but I have no question, Mr. President, that the life of many a faithful Senator has been shortened by living under these conditions. It is not normal; it is not proper that men should live in this way. It is not right that members of the press gallery who are faithful to their duty should be subjected to the conditions that prevail here.

Mr. President and Senators, you know the story just as well as I do. On several occasions—I think this is probably the fifth or sixth occasion since I have been in the Senate—I have presented this matter. I have told of a blind asylum where it was thought since the inmates were blind they needed no expensive windows, and the building was erected without them. An elaborate system of ventilation was provided, but only artificial light for the attendants; and the patients sickened and died because people can not live in that way. The ultra-violet rays of natural light, the sunlight, and the sky shine are just as necessary to the health of the people as the food they eat and the other natural agencies which come into play in promoting health and vigor.

The seasons of the year when we have less sunshine than we have during the long days of summer and the sections of the world where people are deprived of sunlight are the times, the seasons, and the places where life is shortened and death comes too early.

So far as I am personally concerned I have been blessed by heredity and by a kind Providence with a strong, vigorous body, and I am as capable of resisting the evil influences of this Chamber—speaking of the physical conditions—as any man in it; but I appeal to Senators to adopt the amendment, in the first place, because the lives of Senators are significant and, in my opinion, the country wants Senators to live under conditions which will make their bodies healthy bodies and their thinking clear thinking.

It is important that we should have contacts with the outside world, not alone to make our thinking straight but that we may have the sky shine coming through the great windows which it is proposed to place in the north wall in order that natural light may penetrate here. In addition, however, to the arguments which I have used every time I have spoken heretofore, I now refer to the necessity of the protection of this valuable building against fire, which is likely at any time to shock us. I am not now speaking about that phase of the subject so much as it relates to the saving of life, because it is quite probable that in the daytime or when we are in session there would be easy escape from the building; but if we were to wake up in the morning and read that this beautiful structure had been ruined or the building had been mutilated we could hardly face our con-

stituents or the public. I appeal to my friend from Pennsylvania to withdraw his opposition. I think we should permit provision to be made for improving conditions here.

So far as the immediate use of the money is concerned, I will speak of that in a moment.

Mr. SHORTRIDGE. Mr. President—

Mr. COPELAND. I yield to the Senator from California.

Mr. SHORTRIDGE. When is it proposed to go forward with the work of reconstructing this room or the Senate portion of the building? What is the law with respect to that, and who is to determine the question?

Mr. COPELAND. The Committee on Rules will determine the question. But here are the practical difficulties associated with the remodeling. If this debate had occurred last fall, and we had then determined to make the appropriation available, the plans could have been perfected, and we might be ready on the 4th of March to go forward with the work; but questions have arisen as regards the plans which have been prepared, particularly the question of acoustics.

Mr. Lynn, whom I regard as a very able man and a faithful servant of the public, is very anxious indeed, before any attempt shall be made at remodeling so radically this Chamber, that the plans may be restudied, particularly with reference to the acoustics; because it would be a calamity, indeed, if we were to make this a beautiful structure in appearance and yet find it unsuitable because of inability to hear. That is the first item, and it takes time to find out about it. In the next place, we should have the stone ready from the quarry, whatever stone may be selected; and also the main timbers, the structural material, the steel, and so forth, must be prepared. It is utterly impossible to think of undertaking the work this year; and, of course, if it shall not be done this year, it can not probably be carried on next year, because there will then be a long session, and much work must be done by Mr. Lynn in the study of these plans. As one member of the Committee on Rules, the purpose I have in mind, if this amendment shall be accepted, is that Mr. Lynn shall be instructed to go forward with a study of the plans and with securing advice regarding the acoustics and the other questions involved. That is going to take some time, and he ought not to be embarrassed or hurried, for he has now many projects upon his shoulders; but what I am seeking is merely to continue the appropriation until such time as wisdom shall dictate that the work should proceed.

Mr. SHORTRIDGE. Who finally will pass on the plans or the designs for remodeling the Chamber?

Mr. COPELAND. The Committee on Rules.

Mr. SHORTRIDGE. And no further action will be required by the Senate or by Congress?

Mr. COPELAND. No; no further action will be required; but, needless to say, any Senator who has views or thoughts regarding the matter would be given the freest opportunity to express them. I have no doubt that we probably would have proceeded long ago except for an objection which was raised. I am glad that objection was made; I think it was a proper one, because it would not have been right to put the members of the press gallery in a section so remote, if I may say so, from the Democratic side. Anyway, however, the proposed arrangement provides for the press gallery larger space and better rooms. The press gallery is constantly increasing in its membership; it needs more space. I think I am right in saying that there are nearly 100 members of the press gallery. Of course, they are not always here; but when important events are transpiring they are here. They are crowded; it is impossible to give them adequate space to enable them to hear all that is said, and their working space also is very limited. So I trust Senators will accept the amendment and will let the appropriation be continued until such time as it shall seem wise to go forward with the reconstruction of the Senate Chamber.

Mr. ASHURST. Mr. President, I have not been ashamed, metaphorically, to sit at the feet of the Senator from New York [Mr. COPELAND] to glean much wisdom. As his service here has lengthened out, my admiration for his character and for his ability has increased, until I feel for him a fondness almost akin to that of a brother.



Mr. COPELAND. I thank the Senator from Arizona.

Mr. ASHURST. When the Senator from New York argues in favor of some particular question it requires more than ordinary mental strength on my part to oppose a proposition which he has studied with care and which he advocates.

However accustomed as I am to follow his views on most public questions, upon this occasion I can not agree with his conclusions. I feel keenly on this particular question, and doubtless the Senator from New York feels keenly. I would cut a foolish figure to attempt to argue against his conclusions respecting any program looking toward the health of Senators. I admit my incapacity and inability to meet him in argument respecting the particular question of what may or may not involve the health of Senators. Without wishing to be facetious, suffice it to say that valetudinarians come to the Senate and remain here for many years. It is within our knowledge that men with whom we have served have remained here for 30 years. Only recently we committed to his final resting place one of our beloved colleagues who had been here for 35 years or more. So with deference to the able and warm-hearted Senator from New York, I fail to perceive that the present or even the past arrangements of the Senate Chamber have been deleterious to the health of Senators. The country does not believe the Chamber is an unhealthy place, because in our several States are men who are willing to take their chances here if they can secure the support of the electorate. [Laughter.]

The question of economy does enter into a consideration of this question. This proposed change would necessitate an expenditure at no remote date of \$500,000—a considerable and sizable sum to spend for our own comfort and convenience. But to my mind there are larger questions involved than the question even of economy, important as it is. Possibly I am too sentimental; but, Mr. President, this Chamber is one of the memorials of the rise and the triumphant progress of a great nation. Whatever others may say or we may think, the Senate is one of the important forums of human freedom; it is the only place in all the world where the people's servants may say what they please at any time and at any length without intimidation.

Mr. President, the Senate Chamber is not only a very great memorial of the triumphant progress of a powerful Nation but clustering around this very Chamber are fragments of history pregnant with the great events of the latter half of the last century and the early part of the present century. We should, in my judgment, alter the arrangement of this Chamber only for the most overwhelming reasons.

When the construction of the Capitol was begun our country was destitute of what is called architecture and Europeans who visited this country were inclined to smile patronizingly upon our modest attempts at art, but when the House wing of the Capitol in 1857 and the Senate wing in 1859 were added, and its beautiful white dome was later erected, men familiar with architecture and of refined judgment, skilled in the fine arts, said that America had made the happiest hit of the century in architecture in that her great Capitol, white as it is, with its wings outstretched, appeared as if some giant bird had peacefully alighted safely on a hill. So, in my judgment, the arrangements of the building on the exterior as well as the interior are superb.

Mr. President, sitting as you do in your seat, you may, with the clear vision which you possess on all things, descry, if these doors are open, the Speaker of the House of Representatives 640 feet away. It was another architectural "hit" to which Europeans familiar with the fine arts adverted.

I do not share the belief that there is serious danger from fire. Since the Senate began its sessions here in, I think, January, 1859, we have not been in danger from a conflagration. There has been no fire of any considerable consequence. Moreover, nothing in this world, Mr. President—nothing in the transitory and fleeting existence we undergo and endure here in this world—is permanent in a

large sense. It is impossible, in a true sense of the word, to build a Senate Chamber that could not be destroyed by some fire.

It gives me no pleasure to disagree with the conclusions of my beloved friend, the Senator from New York; but I beg Senators not to be swept off their feet. The American people have grown accustomed to this Chamber. It is eligible for our purposes; it is poignant with the history of our country. Its architecture is ample, and I will say superb, for all the purposes for which it was created.

So far as the press gallery is concerned, it is able to take care of itself at any time. It is not a part of my policy in public life to pay much attention to the press. They will take care of themselves, and will take care of us also; so I am not particularly concerned about that feature, except that the press is entitled to a commodious and convenient place in the Chamber, in which to see, hear, and report.

The present arrangement of the Chamber, in my judgment, could not easily be improved upon; and quite likely—if you will pardon me for using a word that is used only in the British House of Lords—we would probably "worsen" it. It is very doubtful if we could improve it in any way.

Here is the Vice President facing the Speaker of the House, the press gallery facing the Senate, with ample space in the press gallery, and their room behind where they may prepare their dispatches. Then, surrounding the Chamber are seats adequate to seat a thousand persons; and whilst at times we implore our colleagues to speak louder because of confusion in the Chamber, and whilst at times some one in the gallery may not hear every word we utter, I have never yet heard a Senator, even of poor audition, complain of the acoustic properties of the Senate Chamber.

The Chamber's facilities for debate, its conveniences for public occasions, the fragrant and fascinating history clustering around it, the architecture of which it forms a part, plus and added to the fact that we are wholly uncertain as to what might come from a rearrangement, make me feel that we would be liable to commit a tragic blunder if we were to attempt at this time, without overwhelming reasons, to change the architecture of this Chamber.

Here is a commodious and majestic and ample Chamber, with committee rooms surrounding, whence the Senators may come from their committee meetings into the Chamber without any trouble and without delay.

I have brought forward all the arguments that now occur to me. No sound argument appears to me for any change in the arrangement of the Chamber; and many, many arguments exist as to why we should not make a change.

My opposition to a change of the Chamber may be ascribed to the fact that I am getting old-fashioned. Well, be it so; I shall rest peacefully under that epithet; I have a feeling of respect and admiration for the man who regretfully sees a great memorial of the heroic past disappear.

Too many of the memorials in this city—memorials consecrated to liberty and freedom, to valor, sacrifice, eloquence, and history—are now disappearing. The advance of industry and of business year by year, month by month, removes some mark of a precious past. Let us, if you please, with most profound respect for the ability and the warm-heartedness of my good friend from New York, keep the old Senate Chamber as it was.

Mr. HEFLIN. Mr. President, I want to tell these Senators who wish the Senate Chamber changed, remodeled, and made into such an ideal and healthy place, as my good friend from New York [Mr. COPELAND] is seeking to do, that you are sowing the seeds of senatorial ambition in the brain of countless politicians who will blossom out as candidates for the Senate by the dozens when you are ready to run again. Senators, as soon as they find out what a splendid health resort the newly constructed Senate Chamber is they will stay awake late at night planning and scheming to come here. [Laughter.]

If this is such an unhealthy place, so dangerous to the physical well-being of Senators, is it not exceedingly strange that in generation after generation so many men will exert



themselves to the uttermost to get elected to a place where such unhealthy conditions surround them every minute and death stands threatening them all the time? [Laughter.]

Mr. President, on the contrary I have seen men come here who were thin and frail and in a little while after living and laboring in this invigorating and health-restoring atmosphere become healthy and strong. The late Senator from Wyoming, Mr. Warren, grew stronger through the years of his service here, and was keenly alert and active until he had served some thirty-odd years in the Senate, longer than any other man ever served here continuously. He was nearly 90 years old when he died.

I see around me to-day fine, wide-awake, robust Senators who seem to be enjoying the best of health, and I have asked several of them if they were going to resign if the Senate should decide to leave this splendid, historic old Chamber as it is; and, Mr. President, without a single exception, everyone with whom I have talked have assured me that he would not resign. [Laughter.] So it is gratifying to know that we are not going to lose their services even if this historic old Hall shall remain as it is.

The truth is, Mr. President, that this is a place of opportunity and service. A very inviting and fascinating place. Every Senator here will support me in the statement that every ambitious citizen in every State in the Union regards it as such. [Laughter.] Practically every Member of the House has his eye on and yearns for a seat in the Senate. [Laughter.] And, oh, how they do regard this place, unhealthy as it is, as the goal of their ambition while we here to-day are told that in this place "death rides on every passing breeze and lurks in every flower." [Laughter.]

I realize, Mr. President, what a terrible thing it is for Senators to have to come in here and work for the great American masses who sent them here under such trying, such hard and terrible health-breaking conditions. And yet, Mr. President and Senators, you know that in spite of all these things that when a United States Senator dies, lo, around his empty shoes the hungry legions swarm. [Laughter.] No, Mr. President, they are not afraid to risk their health here. They are not even afraid to risk their all to come here and serve in the Senate.

I submit, Mr. President, that such an inviting, such a charming, such a beautiful and fascinating place as that ought not to be mutilated and changed; and when you change this historic old Hall, you violate a principle in which the Bible says:

Remove not the ancient landmarks of the fathers.

Thousands of fathers have come here young, and they have served and grown gray in the service, many of them, until pressed by time, they drooped and died of "sheer old age." God bless those old patriarchs. And yet we are told that this Senate Chamber must be changed. Do not bother about that. Do not worry in the least. There will always be plenty of candidates seeking places in the Senate. [Laughter.]

Mr. President, a desire to come to this place is of robust growth in every State in the Union; and as long as you have that situation you will never find the seats in this Chamber empty when Congress is called to assemble. [Laughter.]

Why, old Senator Pettus from my State—I helped to elect him here when he was 75 years old; and he grew stronger and more vigorous until, pressed by time, he fell and died 86, nearly 87 years old.

Senator Morgan, of my State, one of the greatest intellects that ever sat in this body, served here some thirty years and died away up in the eighties.

So I submit to my friend that statistics are "agin" him. [Laughter.]

Mr. REED. Mr. President, I desire to add just one instance to those given by our friend from Alabama [Mr. HEFLIN].

Mr. Shuey, the veteran reporter of the Senate, is 86 years old. He came into the service of the Senate in 1868. In spite of the unhealthy conditions of this Chamber about which we have been shuddering, he who has been here for

63 years, and is still "going strong," has been in the Chamber longer, probably, each legislative day, than any Senator in the body. As we all know, he spends nearly all of his time at the tables here in front of the clerks, and he has stood this unhealthy condition for 63 years.

If the Chamber has contained such characters as that, it would seem to be not necessarily immediately fatal.

Mr. McKELLAR. Mr. President, I want to add just one word to what the Senator from Pennsylvania has said.

Mr. Shuey has not only served all that time here, but I believe he has been in the Senate Chamber practically every day the Senate has been in session during the entire period of 63 years; and I want to say just this about Mr. Shuey: No man ever did his duty more faithfully, more splendidly, more honestly and sincerely than Mr. Shuey; and I wish for him many, many, many, many more days here in this body.

Mr. COPELAND. Mr. President, I have been very much entertained by what has been said.

Before I came into the Senate I had been for a long time health commissioner of New York City. We became impressed with the idea that the oysters which came out of certain beds on the south shore of Long Island were not safe to be consumed by the citizens of my city. We had a meeting of the board of health to announce to the oyster men that it was in the mind of the board to close those bays and not permit the sale of the oysters coming therefrom. We felt that way about it because a million gallons of sewage was being dumped into the bays in question, 21 typhoid carriers were living in the section, and fecal matter was found floating over oyster beds. It did seem as if on account of the conditions any foodstuff coming from those waters was improper to be sold in our community.

We had a meeting of the board of health, and there were brought before the board 17 men varying in age from 87 to 103; men who had always lived on the banks of those bays and had always eaten those oysters. That was said to be proof conclusive that oysters grown under such circumstances were entirely wholesome.

I realize that Mr. Shuey and I are vigorous men of our years and that we have resisted very well the surroundings of the Chamber. But once more, lest the matter simply be laughed out of court, let me say to Senators here that they need not accept my word regarding the conditions. They have been surveyed and a report made to the Committee on Rules, bringing together the expert advice of men who know about the importance of sunlight, sky shine, and fresh air, and there is no difference of opinion as to the fact that men who live under the surroundings of this Chamber are living in an improper atmosphere. Simply because Mr. Shuey and I live on is no reason at all why we need not feel that others may be adversely affected.

While it is a matter of no concern to me personally except as regards my general attitude toward the public health, I do feel that this is a thing with which we should go forward and not change our course. We have adopted this before.

Mr. SWANSON. Mr. President, will the Senator from New York yield to me?

Mr. COPELAND. I yield.

Mr. SWANSON. As I understand, this proposition has passed the Senate, and we are about to act on it again. We called a meeting of the Committee on Rules to ascertain what the effect of the change would be. We ascertained from that hearing that there would be exactly the same air system of bringing air into the Chamber if we had the windows that we now have, the same air they have in the House of Representatives; that the air would be the same, brought in through the same system. The only question was whether we would get some sunshine from these windows which were to be put in. I have been in favor of it because I had an idea we were to have an entire new system of getting air, that the present system was bad, and I was willing, if the air was bad and we were to have a new system, that this Chamber, with all the historic associations, should be destroyed.



We held a meeting, we heard all the experts, and we ascertained that the only question was whether we would get more sunshine by extending the Chamber to the north, where the sun shines very little. The air that comes in here each day when the sun is shining is invigorated with the violet rays from the sun.

When I reached the conclusion that the only thing we would get for this tremendous expenditure, and after destroying this Chamber with its historic associations, was a few minutes of sunshine that would be on the north side of this Chamber, I voted against it, and I am opposed to it.

I have not heard from these experts anything except a mere statement that the Chamber would be improved if we extended it to the north. We could not put the windows up. I do not see where there would be enough change to justifying destroying this historic Chamber, especially when 95 per cent of the people of America have the same office surroundings that we have. I was in favor of this change until I asked the committee to summon before it the experts, before we entered upon it, to let us see what we would get. I know all about these oysters. That is a different proposition. When I was Governor of Virginia I had a survey made of the oyster fields, and wherever there was any doubt about their being pure we stopped the sale of the oysters. But I would like to hear any really scientific man tell me why this entire Chamber should be destroyed, with all its historic associations, in order to get such a little sunshine as would come in if we extended the Chamber and put in windows.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. SWANSON. I yield.

Mr. BARKLEY. I simply wanted to confirm what the Senator from Virginia said with reference to the little sunshine. The trouble is that the lobby back of the Vice President's desk, in which most of us spend a good deal of time, gets now what sunshine there is. So that there would be very little additional fresh air available for the Senate Chamber than we are now able to get, even though we may not be in the Chamber.

Mr. SWANSON. I fully agree with the Senator; when Senators are speaking, and the Senate is in a perpetual state of talking, most Senators go out there and get the sunshine there. The speaker can not get it. But when the speaker concludes, he usually goes out and gets the sunshine. I was for the change, and voted for it, until I saw what little benefit would accrue from it. I reversed my position after hearing the evidence.

Mr. COPELAND. Mr. President, I have been much interested in what the Senator from Virginia has said, although I confess I have not followed him in his scientific conclusion.

I shall always regret, may I say to the Senator, that I was not at the meeting where the matter to which he has referred was discussed. It so happened that I was absent in New York on the day the resolution came in from the press gallery. It was said, I understand, that there would be no outside air. That is not the case. If this plan is adopted, there are to be three great windows, to go from the floor clear up to the ceiling, and portions of those windows are to be readily opened.

Mr. SWANSON. In the wintertime?

Mr. COPELAND. Not in the wintertime.

Mr. SWANSON. We are in session mostly in the winter time.

Mr. COPELAND. But any man who has sat here, as we will, in the spring days, in a sultry place, in spite of the improvement in the ventilation, knowing that if those windows could be opened we could get God's fresh air and the breezes from outside, any Senator who is interested in health, would be interested. I know Senators sit in the room back of the President's chair, between there and the marble room, where there is no air at all. It is an outrageous place from the standpoint of ventilation.

Mr. SWANSON. I ask the Senator this question. As I understand, the ventilation system would not be changed at all. Is that true?

Mr. COPELAND. The ventilation system would be used in the wintertime, but we get no ultra-violet rays through the air that comes in. We get the sky shine. It is not necessary to have direct sunshine.

Mr. SWANSON. This thing was discussed for hours and hours, and I favored it, until I ascertained there was to be no change in the ventilation system, no change in anything, except the possibility of getting some sunshine out there in the wintertime, and having the windows open in the summer. If that is true, I do not think it justifies the change.

Mr. REED. Mr. President, the sun does not shine in the north. It is only sky shine.

Mr. SWANSON. I was in favor of this proposition. I sat here and voted for it, and the members of the press gallery asked me to look into it. I said, "Let us have a meeting of the committee and investigate it, and see what the changes are, what the benefits are, what the profit would be."

"Do you change the ventilation?"

"No."

"Is this air coming in here through water, and cleaned?"

"Yes."

"Is there any proposition to change the ventilation?"

"No."

What benefit do we get for this expenditure, destroying this magnificent Chamber, which is unequalled almost in the world?

When we stay here in July and August we might put the windows up. The noise and dust would come in, and when I realized that there was to be no benefit except the possibility of a little sunshine on the north side, I reversed my position. I said, "I am opposed to it." I have not yet heard any argument which changed my position. I would like to have the Senator tell me whether the ventilation system is to be changed. Would we get any more fresh air for nine-tenths of the time? We would get the same ventilation, the same air, except that there might be a little sunshine from the north; and I have never gotten any from the north yet since I have been in this country. You might south of the equator. We could put the windows up in July and August.

Mr. SMITH. And we would get the same hot air.

Mr. SWANSON. The same hot air. The Senate will continue to have it, and the Senator from South Carolina will indulge in it to an unlimited extent, as he has in the past.

Mr. COPELAND. Mr. President, it is very apparent to me that this important matter is to be laughed out of court. I am entirely satisfied to have it go that way if the Senate so decides. But it is perfectly silly for any man to stand here and say that health depends upon fresh air alone. There is no system of artificial ventilation that was ever devised by man that is a substitute for light, not one. Senators may think because air which has been denatured, and destroyed, largely, by the process of bringing it in, is being pumped in, that is a thing which has to do with their welfare. That is not true at all. If there is anything in science, and in the conclusions of science, it is that there must be light in order for people to live. Let a plant be brought up in the dark—I do not care how perfect the ventilation of the room in which it is supposed to grow is—it is a white, withered thing, and the blood of every Senator here is whitened and lowered in its vigor by him being compelled to live under these conditions.

Nobody has ever said that sunshine comes in from the north; but the same light, the same virtue, the same elements that have to do with growth of the plant, and the welfare of the animal, and the welfare of the human being, are found in sky shine, in the light which comes from the sky, which is reflected from the sun.

Go ahead. I will outlive a lot of you anyhow, but I want to say that you have entirely disregarded a new element, which is the element of fire. If a fire comes some day in this historic Chamber and all the things which make its history fascinating shall be destroyed in an hour, it is your



fault, because by this reconstruction we could make this not only a place of health but we could make it a place of safety against destruction by fire.

Let Senators do as they think best. I have done my part conscientiously, and put the matter before the Senate, and I shall be content with the decision of the Senate.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the committee as amended.

The amendment as amended was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 24, line 22, before the word "of," to strike out "\$256,726" and insert "\$261,326," so as to read:

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; Capitol power plant; personal and other services; care of trees; plantings; fertilizers; repairs to pavements, walks, and roadways; purchase of waterproof wearing apparel; and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 (U. S. C., title 41, sec. 5) and 3744 (U. S. C., title 40, sec. 16) of the Revised Statutes; \$261,326, of which \$158,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 25, line 14, after the word "agent," to strike out "\$191,963" and insert "\$221,463, of which \$9,000 shall be immediately available," so as to read:

Senate Office Building: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment and for labor and material incident thereto and repairs thereof; and for personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, acting through the Architect of the Capitol, who shall be its executive agent, \$221,463, of which \$9,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 25, after line 15, to insert:

Completion of Senate Office Building: To complete the Senate Office Building by the erection of the First Street wing; the architectural treatment of the C Street side; the completion of all approaches to the building as are now incomplete and the landscape treatment of the court, in accordance with the report of the Architect of the Capitol to the United States Senate dated November 29, 1929, with such modifications as the Senate may direct, to be immediately available and to remain available until expended, \$3,079,350, to be expended by the Architect of the Capitol under the supervision of the Senate Office Building Commission, without compliance with sections 3709 and 3744 of the Revised Statutes of the United States. And the Architect of the Capitol is hereby authorized, within the appropriations herein made, to enter into contracts in the open market, to make expenditures for material, supplies, equipment, technical and reference books and instruments, accessories, advertising, personal and other services, traveling expenses and subsistence therefor, and to employ all necessary architectural and engineering and other assistants without regard to section 35 of the public buildings act, approved June 25, 1910, as amended. Appropriations made hereunder to be disbursed by the disbursing officer of the Interior Department.

Mr. JONES. Mr. President, I want to say just a word with reference to the amendment. When it was first suggested I felt very much inclined to oppose it. I did not think, with all the work going on about Washington City, that we were justified in appropriating some \$3,000,000 to go further with the addition to the Senate Office Building. But let me call attention to this fact. I was assured by those who claimed to know, and who I had reason to believe do know, that there are from 15 to 20 Senators, if not more, who have but two rooms for their offices.

I know that the work of Senators is increasing every year. I know that a Senator with four or more clerks—and there are none with fewer—can not get along very well with only two rooms. He must have some privacy. He must have some means of meeting the people from his State in a private sort of way. That fact and that fact alone led me to believe that we ought to make provision for the completion of the Senate Office Building.

Mr. WALSH of Massachusetts. Mr. President, I suppose it is futile to attempt to oppose the amendment, but I think we are making a very serious mistake. It seems to me to add this additional wing to the Senate Office Building is

going to make less desirable every inside room in the building. It certainly will curtail ventilation and is likely to interfere with the light. What we will have, after the completion of the additional wing, will be a mad scramble for outside rooms and no Senator willing to take inside rooms. I think it is better for new Senators to carry on for a couple of years with two rooms with the assurance that when they do get three rooms they will have them well ventilated and well lighted, than to have three rooms immediately, one-half of which will naturally be inside rooms and dark and not having the opportunity of being ventilated such as is enjoyed at the present time.

The inside rooms are among the most desirable at the present time. It seems to me it is plain common sense that walling in the fourth side of the building is going to make the inside rooms very much less desirable. Personally I have no complaint to make because I have outside rooms, but I advise those who have inside rooms to get ready to secure outside rooms if this addition goes through.

Mr. BORAH. Mr. President, may I inquire what is the proposed plan? I did not understand it, as I just came into the Chamber.

Mr. WALSH of Massachusetts. It is to build an additional wing and make a quadrangle building out of the Senate Office Building. I suggest that we pause before we run madly into this matter. After all, how much of a hardship is it? We have all been through it. I come from a large State; I have a fairly large mail and a fairly large number of callers. I occupied two rooms for three years. It was unpleasant and there was some discomfort, but what harm is there in having 15 or 20 new Senators for a year or two being content with two rooms, with the assurance that finally they will get three good rooms, whether inside or outside rooms, and that they will be properly ventilated and are not going to be inside of a tunnel?

Perhaps that is exaggerating the picture a little, because I can appreciate that the open space within the quadrangle is so large that perhaps there will not be the discomforts I suggest about the inside rooms. But I am sure that it will be found that nobody wants to take inside rooms in the building after the additional wing is built. I think we should let the building stand as it is, let new Members have two rooms, and then when they get three rooms, whether inside or outside rooms, they will know that the rooms will be desirable, comfortable, well ventilated, and amply lighted.

Mr. President, I hope the amendment will not be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. KING. Mr. President, recurring to the item just agreed to, I think the Senator from Massachusetts [Mr. WALSH] is correct. It seems to me the amount appropriated is entirely too large. I can not conceive of closing up the quadrangle of the Senate Office Building costing over \$3,000,000.

Mr. JONES. I will say to the Senator that the amount covers really more than that. It covers a sort of change and rearrangement along the north side of the Senate Office Building, which, of course, is going to front the Union Station Plaza. It covers some approaches that will have to be made and finished. This is the estimate of the Architect of the Capitol.

Mr. KING. What is the appropriation of \$500,000 for?

Mr. JONES. That is just for the one entrance upon which work is proceeding now. Of course, when we get the work completed there will be an additional entrance. It is contemplated, and I think very properly so, that there should be a change along the north side of the building fronting the Union Station. The real main front of the building ought to be put in nice shape architecturally.

Mr. KING. As I understand it, the appropriation of \$500,000 is for that purpose.

Mr. JONES. No; the appropriation of \$500,000 is estimated to be the cost of the new entrance that is under way now, the Delaware Avenue entrance. It is an expensive proposition.



Mr. KING. I understand the appropriation of \$500,000 is being devoted to making changes upon the entire north side of the building?

Mr. JONES. No; except as connected with the Delaware Avenue entrance.

Mr. KING. But the \$500,000, as I understand it, takes care of the entrance and makes such changes as are deemed necessary on the north side of the building.

Mr. JONES. Oh, no; the Senator is mistaken.

The PRESIDENT pro tempore. May the Chair suggest that this sum of money is to be used not only to complete the entrance at the Delaware Avenue corner of the building, but also to put carvings and pilasters and other ornamentations on the north side of the building toward the Union Station, and also to carry out the original architect's plans for a terrace along the north side of the building. The main entrance is to be completed according to the original plans of the architect of 1906. If the Chair may be permitted to continue, it will be remembered that the late Vice President Marshall referred to the Senate Office Building as having a Queen Ann front and a Mary Ann back.

Mr. KING. The chairman of the Committee on Appropriations has stated the use to which the \$500,000 is to be put, as I understand it. It is to take care of the north side of the building and to make the necessary changes there. The \$3,000,000 is merely to complete the east wing, if I may use that term, of the Senate Office Building.

Mr. JONES. Not entirely. The very language of the item shows that it covers more than that:

To complete the Senate Office Building by the erection of the First Street wing; the architectural treatment of the C Street side; the completion of all approaches to the building as are now incomplete, and the landscape treatment of the court, in accordance with the report of the Architect of the Capitol to the United States Senate dated November 29, 1929, with such modifications as the Senate may direct.

The architect estimates the cost of that work at this amount of money.

Mr. KING. It seems to me a most extravagant appropriation to take more than \$3,000,000 to close that open space and to make changes in the landscape of the interior lawn or plaza. I regard it as entirely too much. I should be glad to move to cut down the appropriation, but I know it would be futile. I think it is very unwise that we should make such an expenditure at this time. Moreover, there are enough rooms, as I recall it, in the Capitol and in the Senate Office Building to give three rooms to each Senator. It seems to me with a proper allocation and distribution of rooms each Senator would have at least three rooms.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 26, after line 13, to insert:

The unexpended balance of the appropriation of \$500,000 for the completion of the approach to the Senate Office Building at the corner of Delaware Avenue and C Street NE., in general conformity with other treatments adjoining such building at the main entrance thereto, contained in the legislative appropriation act for the fiscal year 1931, is hereby continued and made available for the same purposes for the fiscal year 1932.

The amendment was agreed to.

The next amendment was, on page 26, line 24, before the word "of," to strike out "\$198,265" and insert "\$201,245," so as to read:

House Office Building: For maintenance, including miscellaneous items, and for all necessary services, \$201,245, of which \$26,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 27, at the end of line 17, to strike out "\$359,450" and insert "\$362,070," so as to read:

Capitol power plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, House garage, folding and storage rooms of the Senate, Government Printing Office, and Washington City post office; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel, in connection with the maintenance and operation of the heating, lighting, and power plant, \$362,070.

Mr. COUZENS. Mr. President, is that an increase to take care of some of the underpaid clerks?

Mr. JONES. Yes.

Mr. COUZENS. What is the sense of going through this motion of putting through these increases when the Senate Committee on Appropriations know they are going to yield on the matter in conference?

Mr. JONES. Of course, the committee clerks have had the bill prepared for some little time. We thought it was wiser for us to wait until the House had acted and the matter was closed up in that way, and then in conference we could let these items go out. I appreciate the Senator's suggestion, but I think really the best way is to wait until the final conclusion of the matter and then we can take these items out.

Mr. COUZENS. As a matter of fact, it is a perfectly silly procedure to go through, to have the Senate agree to all of these amendments and then recede after they go to conference. I do not approve of it. I think the amendments ought to be rejected now.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Library Building and grounds," on page 28, line 5, after the word "law," to strike out "\$46,960" and insert "\$50,980," so as to read:

Salaries: For chief engineer and all other personal services at rates of pay provided by law, \$50,980.

The amendment was agreed to.

The next amendment was, under the heading "Botanic Garden," on page 30, line 3, before the word "all," to strike out "\$102,082" and insert "\$103,282," so as to read:

Salaries: For the director and other personal services, \$103,282, all under the direction of the Joint Committee on the Library: *Provided*, That the quarters, heat, light, fuel, and telephone service heretofore furnished for the director's use in the Botanic Garden shall not be regarded as a part of his salary or compensation, and such allowances may continue to be so furnished without deduction from his salary or compensation notwithstanding the provisions of section 3 of the act of March 5, 1923 (U. S. C., title 5, sec. 678), or any other law.

Mr. JONES. Mr. President, on page 30 I desire to offer an amendment on behalf of the committee.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 30, line 16, after the word "work," insert the following:

Disposition of waste, for which the appropriations under this head for the fiscal year 1931 shall be available.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the heading "Library of Congress," on page 31, line 17, to increase the appropriation for salaries for the Librarian, Chief Assistant Librarian, and other personal services, from \$834,165 to \$845,785.

The amendment was agreed to.

The next amendment was, on page 31, line 19, to increase the appropriation for salaries for the register of copyrights, assistant register, and other personal services in the Copyright Office, from \$247,940 to \$250,820.

The amendment was agreed to.

The next amendment was, under the subhead "Legislative Reference Service," on page 32, at the end of line 3, to strike out "\$73,990" and insert "\$75,210," so as to read:

To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress and committees and Members thereof, including not to exceed \$5,700 for employees engaged on piecework and work by the day or hour at rates to be fixed by the Librarian, \$75,210.

The amendment was agreed to.

The next amendment was, under the subhead "Distribution of card indexes," on page 32, line 13, after the words "in



all," to strike out "\$170,500" and insert "\$171,360," so as to read:

#### DISTRIBUTION OF CARD INDEXES

For the distribution of card indexes and other publications of the Library, including personal services, freight charges (not exceeding \$500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed \$56,510 for employees engaged in piecework and work by the day or hour at rates to be fixed by the Librarian; in all, \$171,360.

The amendment was agreed to.

The next amendment was, under the subhead "Index to State Legislation," on page 33, line 8, before the word "and," to strike out "\$33,460" and insert "\$34,320," so as to read:

To enable the Librarian of Congress to prepare an index to the legislation of the several States, together with a supplemental digest of the more important legislation, as authorized and directed by the act entitled "An act providing for the preparation of a biennial index to State legislation," approved February 10, 1927 (U. S. C., Supp. III, title 2, secs. 164, 165), including personal and other services within and without the District of Columbia (including not to exceed \$2,500 for special and temporary service at rates to be fixed by the Librarian), travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incident to the work of compilation, stationery, and incidentals, \$34,320, and in addition the unexpended balance of the appropriation for this purpose for the fiscal year 1931 is reappropriated for the fiscal year 1932.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. JONES. Mr. President, on behalf of the committee I submit the following amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 22, after line 13, insert the following, under the heading "Joint Committee on the Library":

To enable the Joint Committee on the Library to procure for the court room of the Supreme Court of the United States a marble bust, with bracket or pedestal, of the late Chief Justice William Howard Taft, \$3,000.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

Mr. BINGHAM. Mr. President, will the Senator withhold the suggestion for a moment?

Mr. LA FOLLETTE. No, Mr. President.

The PRESIDENT pro tempore. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Schall
Barkley	Fletcher	La Follette	Sheppard
Bingham	Frazier	McGill	Shipstead
Black	George	McKellar	Shortridge
Blaine	Gillett	McMaster	Smith
Blease	Glass	McNary	Smoot
Borah	Glenn	Metcalf	Stelwer
Bratton	Goff	Morrison	Stephens
Brock	Goldsborough	Morrow	Swanson
Brookhart	Gould	Moses	Thomas, Idaho
Broussard	Hale	Norbeck	Thomas, Okla.
Bulkeley	Harris	Norris	Townsend
Capper	Harrison	Nye	Trammell
Caraway	Hatfield	Oddie	Tydings
Carey	Hayden	Partridge	Vandenberg
Connally	Hebert	Patterson	Wagner
Copeland	Heflin	Phipps	Walcott
Couzens	Howell	Pine	Walsh, Mass.
Cutting	Johnson	Ransdell	Walsh, Mont.
Dale	Jones	Reed	Waterman
Davis	Kean	Robinson, Ark.	Watson
Dill	Kendrick	Robinson, Ind.	Wheeler

The PRESIDENT pro tempore. Eighty-eight Senators having answered to their names, a quorum is present. The question is on agreeing to the amendment proposed by the committee.

The committee amendment was agreed to.

The PRESIDENT pro tempore. The bill is still on its second reading and is open to amendment.

Mr. BINGHAM. Mr. President, I am authorized by the Committee on Appropriations to offer the amendment which I send to the desk, to which I particularly call the attention of Senators from Western States.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Connecticut will be stated.

The CHIEF CLERK. On page 10, after line 17, it is proposed to insert the following:

The Secretary of the Senate is authorized and directed to pay from the contingent fund of the Senate to the secretary or to one assistant secretary of the Vice President, or of any Senator, who in the course of his official duties is required to travel from Washington, D. C., to the legal residence of the Senator and return, a sum to cover the cost of such travel, which shall be calculated on a basis of 8 cents a mile by the most direct and customary route: *Provided*, That such travel shall not exceed one round trip for any regular, extra, or special session of Congress: *Provided further*, That such payment shall be made only upon certification by the Vice President or by the Senator by whom the secretary or assistant secretary is employed, that the travel was requisite and necessary in the discharge of his official duties.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Connecticut.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is still on its second reading and is open to amendment.

Mr. COPELAND. Mr. President, I am entirely satisfied with what the Senate did a little while ago regarding the reconstruction of the Chamber, because, as I stated, it will be two years anyway before the work could be undertaken. However, we have spent \$50,000 on the plans; we are talking much now about long-distance planning, and various criticisms have been brought out here. The architect has been desirous of studying the question of acoustics and of general arrangement. I now offer the provision which I send to the desk as an amendment to the committee amendment on page 24, beginning in line 5.

The PRESIDENT pro tempore. The committee amendment having been rejected, it will be necessary for the vote whereby the committee amendment was rejected to be reconsidered. In the absence of objection, it is so ordered. The amendment proposed by the Senator from New York to the committee amendment will be stated.

The CHIEF CLERK. On page 24, line 5, before the word "unexpended," it is proposed to strike out "The" and to insert "That \$10,000 of the," and after the word "expended," at the end of line 9, to insert the words "for study of the plans for such reconstruction so far as they relate to ventilation, acoustics, proper lighting, fire protection, and general arrangements," so as to make the clause read:

That \$10,000 of the unexpended balance of the appropriation of \$500,000 for the reconstruction of the Senate wing of the Capitol, contained in the legislative appropriation act for the fiscal year 1929, is hereby continued and made available until expended for study of the plans for such reconstruction so far as they relate to ventilation, acoustics, proper lighting, fire protection, and general arrangements.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New York to the committee amendment.

Mr. COPELAND. Mr. President, I think we ought to perfect these plans. Then if at any future time we desire to go ahead with the plans we may do so. It may well be that the architect will decide that there are difficulties as regards acoustics, so that the plan as contemplated is not a wise one, but I think that it would be wise to go this far in the matter.

Mr. JONES. Mr. President, I really see no serious objection to the suggestion of the Senator from New York. I myself have no objection to it.

Mr. KING. Mr. President, I ask the Senator from New York for information: What are the functions of the Architect of the Capitol? As I understand, the Architect of the Capitol is a permanent officer. I wonder what he has been doing all these years. I am asking, not by way of criticism but for information, and I was wondering whether in view of the salary which he receives—and I am advised he has assistants—an additional appropriation is required?

Mr. COPELAND. Let me say to the Senator that I regard the Architect of the Capitol as a very conscientious, intelligent, diligent man. It is not intended at all that the Archi-



tect of the Capitol should make plans for the reconstruction of the building. His work is largely supervisory. He is a very wise counselor on all these matters. I would not expect that the Architect of the Capitol should be the man to determine the various questions which I have presented here, but I do think that, by and large, there are few employees of the Government who render more valuable service than does Mr. Lynn. As I understand, the chairman of the committee is willing to accept the amendment which I propose.

Mr. JONES. I make no objection to it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New York to the committee amendment.

Mr. DALE. Mr. President, may I ask the Senator from New York—we could not hear on this side of the Chamber the conversation going on on the other side—does his amendment apply solely to the changes in the Capitol Building respecting fire protection?

Mr. COPELAND. Oh, no. Let me again read the part of the amendment which will cover the Senator's inquiry:

That \$10,000 of the unexpended balance—

I leave out at this point a part of the language—

is hereby continued and made available until expended for study of the plans for such reconstruction so far as they relate to ventilation, acoustics, proper lighting, fire protection, and general arrangements.

That amendment, if agreed to, will cover all the matters the Senator has in mind, I am sure.

Mr. DALE. It seems to me that is a proposition having such scope that it ought to go to the Committee on Rules and have consideration there in regular order and ought not to be snapped up to-night without a minute's consideration. I doubt, Mr. President, if the amendment is in order, and I make the point of order that it is not in order.

The PRESIDENT pro tempore. The Chair is compelled to hold that the amendment is in order, but, if the Chair may so suggest, he will state that he is of the opinion, with the Senator from Vermont, that this matter should go to the Rules Committee and be later brought forward as an item on the deficiency appropriation bill rather than to be taken up here. However, the question is on agreeing to the amendment proposed by the Senator from New York to the committee amendment. [Putting the question.] The "noes" seem to have it.

Mr. COPELAND. I ask for a division on the adoption of the amendment to the amendment.

On a division, the amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The bill is still before the Senate and open to amendment.

If there be no further amendment to be proposed, the question is, Shall the amendments be engrossed and the bill be read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The message returned to the Senate, in response to its request, the engrossed bill (H. R. 11675) to authorize the issuance of a patent in fee for certain land and buildings within the Colville Reservation, Wash., for public-school use, the Speaker having been authorized to rescind his action in affixing his signature to the enrolled copy of the bill.

#### ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 14675) making ap-

propriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, and it was signed by the President pro tempore.

#### CONSTRUCTION OF NAVAL VESSELS

Mr. HALE and Mr. KING addressed the Chair.

The PRESIDENT pro tempore. The Senator from Maine.

Mr. HALE. Mr. President, I move that the Senate proceed to the consideration of Order of Business 1358, Senate bill 5288, the naval construction bill.

Mr. KING. Mr. President—

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	George	McKellar	Shortridge
Barkley	Glass	McMaster	Smith
Black	Glenn	McNary	Steiwer
Borah	Goff	Morrison	Stephens
Bratton	Goldsborough	Morrow	Swanson
Brock	Hale	Moses	Thomas, Idaho
Broussard	Harris	Norbeck	Thomas, Okla.
Bulkeley	Harrison	Norris	Townsend
Capper	Hatfield	Nye	Trammell
Caraway	Hayden	Oddie	Tydings
Carey	Hebert	Partridge	Vandenberg
Connally	Heflin	Patterson	Wagner
Copeland	Howell	Phipps	Walcott
Couzens	Johnson	Ransdell	Walsh, Mass.
Cutting	Jones	Reed	Walsh, Mont.
Dale	Kean	Robinson, Ark.	Waterman
Davis	Kendrick	Robinson, Ind.	Watson
Fess	King	Schall	Wheeler
Fletcher	La Follette	Sheppard	
Frazier	McGill	Shipstead	

The PRESIDENT pro tempore. Seventy-eight Senators having answered to their names, a quorum is present.

Mr. KING. Mr. President—

The PRESIDENT pro tempore. The question is—

Mr. KING. Mr. President—

The PRESIDENT pro tempore. Let the Chair state the motion. The question is on agreeing to the motion proposed by the Senator from Maine, that the Senate proceed to the consideration of Senate bill 5288, to authorize the construction of certain naval vessels, and for other purposes.

Mr. HALE. Mr. President—

Mr. KING. Mr. President, I think I was recognized by the Chair, and the Chair stated that he was about to state the motion.

The PRESIDENT pro tempore. That is correct.

Mr. KING. It seems to me that in fairness the Chair should have recognized me after he had stated the motion.

The PRESIDENT pro tempore. The Senator from Utah is recognized.

Mr. KING. Mr. President, for some time I have been trying to obtain recognition to have a motion to reconsider disposed of.

As I was stating this afternoon when I sought recognition unsuccessfully, and thereafter obtained it, but too late, Senate bill 202 received the approval of the Senate—I may say the unanimous approval of the Senate—nearly a year ago. After the passage of the bill a motion was seasonably made for reconsideration. Since that time efforts have been made, but unsuccessfully, to secure the consideration of the motion to reconsider and to have the matter disposed of.

I send to the desk the bill to which I have referred, and I propose that we shall have some little discussion with regard to that bill.

Mr. BRATTON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BRATTON. Is not a motion to reconsider a privileged matter?

The PRESIDENT pro tempore. According to the notation on the bill, the motion to reconsider was entered on April 16, 1930; but that is not privileged. The pending question is the motion proposed by the Senator from Maine.

Mr. HALE. Mr. President—

The PRESIDENT pro tempore. On that motion the Senator from Utah was recognized.



Mr. KING. Mr. President, I have just sent to the desk the bill which passed the Senate, and as to which this motion to reconsider was interposed.

Before the clerk reads the bill I should like to state that we are evincing a great deal of interest in immigration matters. A bill is now pending before the Senate Committee on Immigration to restrict immigration, and indirectly to deal with the illegal entry into the United States of persons who under the law have no right to the hospitality of our shores. Quite recently the President of the United States recommended, as I remember, an appropriation of \$500,000 in addition to the very large appropriation heretofore made to the Bureau of Immigration for the purpose of deporting aliens who are illegally in the United States and subject to deportation.

I think a bill is pending to strengthen the border patrol and to increase the appropriation there to the extent of several hundred thousand dollars, for the purpose of keeping illegal entrants from coming into the United States.

While we are evincing so much interest in new legislation and in strengthening existing laws, we are silent and inactive with respect to what some have denominated the side-door entrance by which and through which some twelve to twenty-five thousand illegally enter into the United States annually under the guise of being alien seamen.

The bill to which I have referred aimed to cure that situation and to prevent persons pretending to be seamen from entering the United States. That bill, as I stated, received the unanimous approval of the Committee on Immigration on two separate occasions. It passed the Senate of the United States without opposition upon two separate occasions.

Mr. McNARY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Oregon?

Mr. KING. I yield to the Senator.

Mr. McNARY. I am obliged to the Senator from Utah.

It is desired to have a short executive session. A number of the Senators have requested it. If the Senator from Utah will yield for that purpose, I shall move an executive session; and then, under the rules, the Senator would be entitled to be heard.

Mr. KING. If I shall be entitled to recognition on Monday, I will yield for that purpose.

Mr. HALE. Mr. President—

The PRESIDENT pro tempore. In the event of a recess being taken, the situation from a parliamentary standpoint will be that the pending question is the motion of the Senator from Maine [Mr. HALE] and that the Senator from Utah [Mr. KING] has the floor.

#### EXECUTIVE SESSION

Mr. McNARY. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business in open session.

#### MESSAGES FROM THE PRESIDENT REFERRED

Messages from the President of the United States making nominations were referred to the appropriate committees.

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Chief Clerk read as follows:

To the Senate:

To the end that I may receive the advice and consent of the Senate to its ratification, I transmit herewith a supplementary agreement signed at Vienna on January 20, 1931, to the treaty of friendship, commerce, and consular rights signed between the United States of America and Austria at Vienna on June 19, 1928, together with a report from the Secretary of State regarding it.

HERBERT HOOVER.

THE WHITE HOUSE, February 14, 1931.

The PRESIDENT pro tempore. The treaty will be referred to the Committee on Foreign Relations. Reports of committees are in order. There being no reports of committees, the calendar is in order.

#### THE CALENDAR

The Chief Clerk read as follows:

Ex. G (71st Cong., 3d sess.). Agreement with Sweden for the arbitration of claims growing out of the alleged detention of the motor ship *Kronprins Gustaf Adolf* and the motor ship *Pacific*, signed at Washington on December 17, 1930.

Mr. BORAH. Mr. President, this is a simple arbitration treaty to settle certain controversies between the United States and Sweden with reference to the charge that the United States detained certain Swedish ships, and to ascertain in the first instance whether the United States is liable, and in the second instance, if so, what the damages should be.

The Senate, as in Committee of the Whole, proceeded to consider the treaty, which was read, as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith an agreement signed on December 17, 1930, for the arbitration of certain claims presented to the Government of the United States by the Government of Sweden on behalf of a Swedish corporation for losses said to have been incurred as a result of the alleged detention in ports of the United States, in contravention of provisions of treaties in force between the United States and Sweden, of the motor ship *Kronprins Gustaf Adolf* and the motor ship *Pacific*, belonging to said Swedish corporation.

HERBERT HOOVER.

THE WHITE HOUSE, January 5, 1931.

The PRESIDENT:

Claims presented to the Government of the United States by the Government of Sweden on behalf of Rederiaktiebolaget Nordstjernan, a Swedish corporation, for losses said to have been incurred as a result of the alleged detention in ports of the United States, in contravention of provisions of treaties in force between the United States and Sweden, of the motor ship *Kronprins Gustaf Adolf* and the motor ship *Pacific*, belonging to the said Swedish corporation, having failed of adjustment diplomatically, the two Governments on December 17, 1930, entered into a special agreement, subject to ratification, for the arbitration of the claims in pursuance of the treaty of arbitration between the United States and Sweden signed on October 27, 1928, and proclaimed by the President on April 15, 1929.

The undersigned, the Secretary of State, has the honor to lay the agreement before the President with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof.

Respectfully submitted.

H. L. STIMSON.

DEPARTMENT OF STATE,

Washington, January 3, 1931.

Whereas, the Government of Sweden has presented to the Government of the United States of America certain claims on behalf of Rederiaktiebolaget Nordstjernan, a Swedish corporation, for losses said to have been incurred as a result of the alleged detention in ports of the United States of America, in contravention of provisions of treaties in force between the United States of America and Sweden, of the motorship *Kronprins Gustaf Adolf* and the motorship *Pacific* belonging to said Swedish corporation; and

Whereas, the Government of the United States of America has disclaimed any liability to indemnify the Government of Sweden in behalf of the owners of the said motorships, therefore:

The President of the United States of America and His Majesty the King of Sweden being desirous that this matter of difference between their two Governments should be submitted to adjudication by a competent and impartial Tribunal have named as their respective plenipotentiaries, that is to say:

The President of the United States of America,  
Henry L. Stimson, Secretary of State of the United States of America; and

His Majesty the King of Sweden,



W. Boström, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Who, after having communicated to each other their respective full powers found in good and due form, have agreed upon the following articles:

#### ARTICLE I

There shall be submitted to arbitration pursuant to the Convention for the Pacific Settlement of International Disputes, signed at The Hague, October 18, 1907, and the Arbitration Convention between the United States of America and Sweden, signed at Washington, October 27, 1928, the following questions:

First, Whether the Government of the United States of America detained the Swedish motorship *Kronprins Gustaf Adolf* between June 23, 1917 and July 12, 1918, and the Swedish motorship *Pacific* between July 1, 1917 and July 19, 1918, in contravention of the Swedish-American Treaties of April 3, 1783 and July 4, 1827.

Second, Whether, if the first question be decided in the affirmative, the Government of the United States of America is liable to the Government of Sweden in behalf of the owners of the motorships for damages resulting from such unlawful detention; and,

Third, Should the reply be in the affirmative what pecuniary reparation is due to the Government of Sweden on behalf of the owners of the motorships above mentioned.

#### ARTICLE II

The questions stated in Article I shall be submitted for a decision to a sole arbitrator who shall not be a national of either the United States of America or Sweden. In the event that the two Governments shall be unable to agree upon the selection of a sole arbitrator within two months from the date of the coming into force of this Agreement they shall proceed to the establishment of a Tribunal consisting of three members, one designated by the President of the United States of America, one by His Majesty the King of Sweden, and the third, who shall preside over the Tribunal, selected by mutual agreement of the two Governments. None of the members of the Tribunal shall be a national of the United States of America or of Sweden.

#### ARTICLE III

The procedure in the arbitration shall be as follows:

(1) Within ninety days from the date of the exchange of ratifications of this Agreement, the agent for the Government of Sweden shall present to the Agent for the Government of the United States of America a statement of the facts on which the Government of Sweden rests the claim against the United States of America, and the demand for indemnity. This statement shall be accompanied by the evidence in support of the allegations and of the demand made;

(2) Within a like period of ninety days from the date on which this Agreement becomes effective, as aforesaid, the Agent for the Government of the United States of America shall present to the Agent for the Government of Sweden at Washington a statement of facts relied upon by the Government of the United States of America together with evidence in support.

(3) Within sixty days from the date on which the exchange of statements provided for in paragraphs (1) and (2) of this Article is completed each Agent shall present in the manner prescribed by paragraphs (1) and (2) an answer to the statement of the other together with any additional evidence and such argument as they desire to submit.

#### ARTICLE IV

When the development of the record is completed in accordance with Article III hereof, the Government of the United States of America and the Government of Sweden shall forthwith cause to be forwarded to the International Bureau at The Hague for transmission to the Arbitrator or Arbitrators, as the case may be, three complete sets of the statements, answers, evidence, and arguments presented by their respective Agents to each other.

#### ARTICLE V

Within 30 days from the delivery of the record to the Arbitrator or Arbitrators in accordance with Article IV, the

Tribunal shall convene at Washington for the purpose of hearing oral arguments by Agents or Counsel, or both, for each Government.

#### ARTICLE VI

When the Agent for either Government has reason to believe that the other Government possesses or could obtain any document or documents which are relevant to the claim but which have not been incorporated in the record such document or documents shall be submitted to the Tribunal at the request of the Agent for the other Government and shall be available for inspection by the demanding Agent. In agreeing to arbitrate the claim of the Kingdom of Sweden in behalf of Rederiaktiebolaget Nordstjernan the Government of the United States of America does not waive any defense which was available prior to the concluding of the Agreement.

#### ARTICLE VII

The decision of the Tribunal shall be made within two months from the date on which the arguments close, unless on the request of the Tribunal the Parties shall agree to extend the period. The decision shall be in writing.

The decision of the majority of the members of the Tribunal, in case a sole Arbitrator is not agreed upon, shall be the decision of the Tribunal.

The language in which the proceedings shall be conducted shall be English.

The decision shall be accepted as final and binding upon the two Governments.

#### ARTICLE VIII

Each Government shall pay the expenses of the presentation and conduct of its case before the Tribunal; all other expenses which by their nature are a charge on both Governments, including the honorarium for the Arbitrator or Arbitrators, shall be borne by the two Governments in equal moieties.

#### ARTICLE IX

This Special Agreement shall be ratified in accordance with the constitutional forms of the Contracting Parties and shall take effect immediately upon the exchange of ratifications, which shall take place at Washington as soon as possible.

In witness whereof, the respective plenipotentiaries have signed this Special Agreement and have hereunto affixed their seals.

Done in duplicate at Washington this seventeenth day of December, nineteen hundred and thirty.

HENRY L. STIMSON [SEAL]  
W. BOSTROM [SEAL]

The treaty was reported to the Senate without amendment.

The PRESIDENT pro tempore. The resolution of ratification will be read.

The Chief Clerk read as follows:

*Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive G, Seventy-first Congress, third session, an agreement with Sweden for the arbitration of claims growing out of the alleged detention of the motor ship Kronprins Gustaf Adolf and the motor ship Pacific signed December 17, 1930.*

The PRESIDENT pro tempore. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

Mr. BORAH. I ask that the seal of secrecy be removed. The PRESIDENT pro tempore. That order will be entered.

#### GOVERNOR OF THE VIRGIN ISLANDS

The Chief Clerk read the nomination of Paul M. Pearson to be Governor of the Virgin Islands.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

#### THE JUDICIARY

The Chief Clerk read the nomination of Walter H. Evans, of Oregon, to be judge of the United States Customs Court.



The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Alf O. Maloy to be United States marshal, southern district of Indiana.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Bernard Anderson to be United States marshal, district of Minnesota.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Nathan Cayton to be judge of the municipal court, District of Columbia.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Charles F. Parsons to be associate justice of the Supreme Court, Territory of Hawaii.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Albert M. Cristy to be second judge, first circuit, Territory of Hawaii.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of James H. Hammons to be United States marshal, eastern district of Kentucky.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

#### COAST AND GEODETIC SURVEY

The Chief Clerk read sundry nominations in the Coast and Geodetic Survey.

The PRESIDENT pro tempore. Without objection, the nominations in the Coast and Geodetic Survey will be confirmed en bloc.

#### FEDERAL RESERVE BOARD

The Chief Clerk read the nomination of Eugene Meyer to be a member of the Federal Reserve Board.

Mr. NORRIS. The Senator from Iowa [Mr. BROOKHART] is interested in this nomination. In his absence I ask that it go over.

The PRESIDENT pro tempore. It will be passed over.

#### POSTMASTERS

The Chief Clerk read sundry nominations of postmasters. Mr. PHIPPS. I ask that the postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, all postmaster nominations on the calendar will be confirmed en bloc.

#### IN THE ARMY

The Chief Clerk read sundry nominations in the Army.

Mr. REED. I ask that the Army nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, all Army nominations on the calendar will be confirmed en bloc.

The Senate resumed legislative session.

#### CONSTRUCTION OF PAVEMENTS IN THE DISTRICT OF COLUMBIA

Mr. COPELAND. Mr. President, as I have explained to the Senate, the officers of the District are anxious to proceed with the paving assessment, and I ask unanimous consent, as various lawyers in the Senate have expressed themselves as satisfied with the constitutionality of the bill, that we proceed to the consideration of Calendar No. 1500, with a view to its passage. If there is any debate, I shall withdraw it.

Mr. REED. Mr. President, the junior Senator from Wisconsin [Mr. BLAINE] was to look into that matter. Should we proceed in his absence?

Mr. COPELAND. The Senator from Wisconsin has assured me that he is entirely satisfied.

Mr. McNARY. Mr. President, I hope the Senator will not press the request, because I promised some Senators that there would be no action on the calendar to-day.

Mr. COPELAND. Very well.

#### DEATH OF MAJ. GEN. CLARENCE R. EDWARDS

Mr. WALSH of Massachusetts. Mr. President, I regret to announce the death to-day in Boston of a very distinguished American, Maj. Gen. Clarence R. Edwards.

Major General Edwards was assigned from the Regular Army to mobilize the troops in the New England section of the country upon the outbreak of the World War. He commanded very ably and successfully the Twenty-sixth Division, composed of more than 25,000 New England citizen-soldiers, who were the first American troops to embark for France within a few months after the declaration of war in 1917.

After his retirement from the Army a few years after the war General Edwards took up his residence in Boston where he resided until the time of his death.

In my judgment, no man in New England has so endeared himself to the people of New England in recent years as has General Edwards. He seemed to be the antithesis of the conception of the stern, austere, "hard-boiled" Regular Army officer many people visualize. His sympathetic interest in each individual private soldier, his personal devotion to the welfare of the officers and men under him, his championing of their relief problems following the war, his kindly and sympathetic nature, made him the most outstanding private citizen, after his retirement from the Regular Army, in that section of the country.

I want to express my personal regret on his departure from this life, and to have the RECORD show the appreciation not only of the people of the United States as a whole, but particularly of the people of New England, of his military services during the war and his public service in stimulating patriotism and courageously espousing his views on public questions since the war, and to express the belief that his fine example and the influence he exerted will live long after his body shall be committed to Arlington National Cemetery next Monday.

#### RECESS

Mr. McNARY. I move that the Senate take a recess, as in legislative session, until Monday at 12 o'clock.

The motion was agreed to; and the Senate (at 4 o'clock and 50 minutes p. m.) took a recess until Monday, February 16, 1931, at 12 o'clock meridian.

#### NOMINATIONS

*Executive nominations received by the Senate February 14 (legislative day of January 26), 1931*

##### COLLECTOR OF CUSTOMS

Emery J. San Souci, of Providence, R. I., to be collector of customs for customs collection district No. 5, with headquarters at Providence, R. I. (Reappointment.)

##### COMMISSIONER OF IMMIGRATION

John D. Nagle, of California, to be commissioner of immigration at the port of San Francisco, Calif.

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate February 14 (legislative day of January 26), 1931*

##### GOVERNOR OF VIRGIN ISLANDS

Paul M. Pearson to be Governor of Virgin Islands.

##### JUDGE OF THE UNITED STATES CUSTOMS COURT

Walter H. Evans to be judge of the United States Customs Court.

##### UNITED STATES MARSHALS

Alf O. Meloy to be United States marshal, southern district of Indiana.

Bernard Anderson to be United States marshal, district of Minnesota.

James H. Hammons to be United States marshal, eastern district of Kentucky.

##### JUDGE OF THE MUNICIPAL COURT, DISTRICT OF COLUMBIA

Nathan Cayton to be judge of the Municipal Court, District of Columbia.



# ASSOCIATE JUSTICE OF THE SUPREME COURT, TERRITORY OF HAWAII

Charles F. Parsons to be associate justice of the Supreme Court, Territory of Hawaii.

## SECOND JUDGE, FIRST CIRCUIT, TERRITORY OF HAWAII

Albert M. Cristy to be second judge, first circuit, Territory of Hawaii.

## COAST AND GEODETIC SURVEY

### TO BE AIDE, WITH RELATIVE RANK OF ENSIGN IN THE NAVY

William Francis Deane.	Thomas Malcolm Price, jr.
Edgar Flanay Hicks, jr.	Arthur Loren Wardwell.
Emmett Hugh Sheridan.	Raymond Henry Tryon, jr.

## TRANSFER IN THE ARMY

First Lieut. Daniel Jerome Martin to Ordnance Department.

## PROMOTIONS IN THE ARMY

Alfred James Booth to be colonel, Adjutant General's Department.

Clark Porter Chandler to be lieutenant colonel, Cavalry.

John Walton Lang to be lieutenant colonel, Infantry.

Henry Harley Arnold to be lieutenant colonel, Air Corps.

Thomas Courtenay Locke to be major, Quartermaster Corps.

George Aloysius Corbin to be major, Infantry.

Harry William Osborn Kinnard, to be major, Field Artillery.

Howard Noah Scales to be major, Infantry.

William Arthur McAdam to be major, Infantry.

Leland Wilbur Miller to be captain, Air Corps.

Raphael Baez, jr., to be captain, Air Corps.

Robert Halbert Finley to be captain, Air Corps.

Don Lee Hutchins to be captain, Air Corps.

Clarence Herbert Welch to be captain, Air Corps.

Ennis Clement Whitehead to be captain, Air Corps.

Joseph Lawrence Erickson to be captain, Quartermaster Corps.

Alfred Jefferson Lyon to be captain, Air Corps.

Joseph Cyril Augustin Denniston to be first lieutenant, Air Corps.

John Franklin Bird to be first lieutenant, Field Artillery.

Henry Beane Margeson to be first lieutenant, Infantry.

Claude Franklin Burbach to be first lieutenant, Field Artillery.

Raymond Miller Barton to be first lieutenant, Cavalry.

William Lloyd Burbank to be first lieutenant, Infantry.

Donald Hudson Bratton to be first lieutenant, Cavalry.

Wallace Hallock Honnold to be first lieutenant, Infantry.

Emmor Graham Martin to be first lieutenant, Coast Artillery Corps.

Walter Scott Strange to be first lieutenant, Infantry.

Welborn Barton Griffith, jr., to be first lieutenant, Infantry.

John Halliday McCormick to be first lieutenant, Air Corps.

William Nelson Gillmore to be first lieutenant, Field Artillery.

Frederick Hultman Foucar to be lieutenant colonel, Medical Corps.

Paul White Gibson to be lieutenant colonel, Medical Corps.

Sydney Smith to be colonel, Infantry.

Walter Raymond Wheeler to be lieutenant colonel, Infantry.

Frederick LeRoy Black to be major, Quartermaster Corps.

Harold Lyman Clark to be captain, Air Corps.

Hubert Whitney Ketchum, jr., to be first lieutenant, Cavalry.

Marcel Gustave Crombez to be first lieutenant, Infantry.

Henry Poindexter Carter to be lieutenant colonel, Medical Corps.

## REAPPOINTMENT OFFICERS' RESERVE CORPS—GENERAL OFFICER

Brig. Gen. John Henry Sherburne to be brigadier general, Reserve.

## POSTMASTERS

### ALABAMA

Annie H. Smith, Fort Deposit.

### ARIZONA

Mary A. McGee, Florence.

Patrick D. Ryan, Fort Huachuca.

### ARKANSAS

O. John Harkey, jr., Ola.

### CALIFORNIA

Edna J. McGowan, Belmont.

Ethel R. Nance, Coachella.

Marjorie E. Stover, Crannell.

Henry Metzler, Fowler.

James C. Tyrrell, Grass Valley.

Bert W. Miller, Hilts.

Emerson B. Herrick, Lodi.

Charles G. Brainerd, Loomis.

Charles S. Graham, Pleasanton.

Peter A. Stenberg, Rio Linda.

Richard J. Doyle, St. Mary's College.

Sherman G. Batchelor, San Bernardino.

Bernice C. Downing, Santa Clara.

Leonard G. Hardy, jr., South San Francisco.

Anna R. Armstrong, Woodland.

### COLORADO

Frank E. Stewart, Golden.

### FLORIDA

Ola L. Head, Avon Park.

Milton F. Thrasher, Bradenton.

Henry E. Duttonhaver, Bunnell.

Bessie S. May, Holly Hill.

Lewis A. Morris, Leesburg.

### HAWAII

Arcenio H. Silva, jr., Kahului.

### IDAHO

John W. Reid, Bonners Ferry.

### ILLINOIS

Carl J. Ekman, Batavia.

George H. Warnecke, Bensenville.

Robert B. Marshall, Capron.

Samuel H. Lawton, Delavan.

James E. Seabert, Dwight.

William D. Chambers, East Moline.

Edward S. Breithaupt, Gifford.

Richard W. Miller, Hamilton.

Fannie Hicks, Ivesdale.

Anna M. Tonnysen, Manhattan.

Lester B. McAllister, Oak Park.

George P. Wilson, Orion.

Fred A. Sapp, Ottawa.

George S. Faxon, Plano.

David S. Cossairt, Potomac.

William H. Fahnestock, Rushville.

Anton J. Berta, South Wilmington.

Joseph C. Painter, Stronghurst.

George J. Duncan, Villa Grove.

Sylvester H. DePew, Zion.

### INDIANA

William H. Hailway, Hope.

Miles B. Staley, Lawrence.

Edward M. Ray, Scottsburg.

Charles R. Jones, Summitville.

### IOWA

Lloyd M. Poe, Blockton.

Harry Carver, Fontanelle.

Benjamin H. Todd, Ida Grove.

Charles B. Abbott, Imogene.

Oscar W. Larson, Odebolt.

Calvin L. Sipe, Sioux Rapids.

Paul F. Wilharm, Sumner.

Joseph C. Allen, Zearing.



## KANSAS

William B. Underwood, Downs.  
William H. Dittmore, Severance.  
Franklin S. Adams, Waterville.

## KENTUCKY

William S. Jagers, Hodgenville.  
Walter W. Crick, Madisonville.

## LOUISIANA

Charles F. A. Brown, Baton Rouge.  
Lillian Causey, Bonita.

## MICHIGAN

Joseph D. Watson, Homer.

## MINNESOTA

Clyde W. Long, Osakis.

## MISSISSIPPI

Mable C. Whitaker, Gunnison.

## MISSOURI

Leeta F. Waggy, Adrian.  
Jesse E. Fette, Alma.  
William A. Edwards, Bagnell.  
J. Orville Gochbauer, Belton.  
I. Scott Jones, Bonne Terre.  
George L. Pemberton, Charleston.  
William R. Lytle, Fredericktown.  
George S. Lorimer, Hickman Mills.  
Thomas J. Richardson, Koshkonong.  
Robert F. Stalling, Lexington.  
Edwan H. Laubert, Mayview.  
Harvey H. Fluhart, Stewartville.

## NEBRASKA

Julius J. Weidner, Humphrey.

## NEW JERSEY

Alan W. Knowles, Budd Lake.  
Timothy J. Nevill, Carteret.  
Madge B. Vanderpoel, Montvale.  
Everett N. Crandell, North Hackensack.  
Frederick C. Docker, Oxford.  
James R. Dick, Phillipsburg.

## NEW YORK

Naomi S. Thompkins, Copiague.  
Ella E. Wood, Elizabethtown.  
T. Frank Walker, Lockport.

## NORTH CAROLINA

Isaac F. Snipes, Ahoskie.  
Mortimer H. Mitchell, Aulander.  
Theron C. Dellinger, Crossnore.  
Frank Colvard, Robbinsville.  
Mattie C. Lewellyn, Walnut Cove.

## OHIO

Herbert O. Tinlin, Carrollton.  
John P. Cramer, Fredericksburg.  
Harley F. Hambel, Glouster.  
William F. Lyons, Mentor.  
Edward J. Cranmer, Ostrander.  
Minnie A. Jackson, Rockford.  
John M. Washington, Sabina.  
Clyde S. Perfect, Sunbury.

## OKLAHOMA

John R. Wilson, Crescent.  
J. Ward McCague, Ralston.

## OREGON

Robert N. Torbet, Albany.  
Arlington B. Watt, Amity.

## PENNSYLVANIA

Ida M. Mingle, Birmingham.  
Harry H. Wilson, Blairsville.  
Norman Bailly, Coatesville.  
Malcolm F. Clark, Coudersport.  
Jennie C. Sample, Crum Lynne.  
William T. Cruse, Derry.  
Merton R. Himes, East Berlin.  
Edward A. P. Christley, Ellwood City.  
Thomas M. Brown, Glen Rock.  
George R. Fleming, Haverford.  
Ralph B. Kunkle, Homer City.  
William A. Kessler, Homestead.  
Norman S. Helff, Hummelstown.  
Frank H. Cratsley, Imperial.  
Harry A. Borland, Indiana.  
Otto R. Baer, Irwin.  
Frank R. Diehl, Lehighton.  
Samuel F. Williams, Le Raysville.  
William H. Young, McDonald.  
Harrison J. Kromer, Merion Station.  
Bess L. Thomas, New Bethlehem.  
James B. Anderson, Pittsburgh.  
Clarence A. Majer, Pocono Pines.  
John S. Steinmetz, Richland.  
Carrie A. Fritz, Rimersburg.  
William J. Winner, Sandy Lake.  
Joseph L. Roberts, Sharon.  
Franklin Clary, Sharpsville.  
Jane R. Lohmann, Trucksville.  
Maude McCracken, Volant.  
William Evans, West Grove.

## RHODE ISLAND

William H. Godfrey, Apponaug.

## SOUTH CAROLINA

Charles C. Withington, Greenville.

## TEXAS

Clyde H. Risley, Asherton.  
Manley J. Holmes, Baird.  
Lock M. Adkins, Beeville.  
John A. Weyand, Carmine.  
McDougal Bybee, Childress.  
Frank A. Blankenbeckler, Cisco.  
Maude Cavender, Encinal.  
Sidney O. Hyer, Frost.  
William E. Singleton, Jefferson.  
Oscar O. Ashenhurst, Lorena.  
William F. Rayburn, Lovelady.  
E. Otho Driskell, Mansfield.  
Robert C. Fechner, Pleasanton.  
William J. Whitson, Spearman.

## UTAH

Clifford I. Goff, Midvale.

## VIRGINIA

Abram K. Sampson, Burkeville.  
Robert E. Berry, Green Bay.  
Matilda W. Campbell, Greenville.  
Lawrence L. Jacobs, Hanover.  
John W. Rodgers, Hampden Sydney.  
Susie F. Jarratt, Jarratt.  
Charles F. Flanary, Jonesville.  
Grace H. Jenkins, Powhatan.  
John J. Kivlighan, Staunton.  
Dandridge W. Marston, Toano.

## WEST VIRGINIA

John W. Kastle, jr., Martinsburg.

## WISCONSIN

Herman Rau, Chilton.  
Alice E. Ford, Pelican Lake.  
Frederick N. Lochemes, St. Francis.  
Wilbur H. Bridgman, Stanley.  
Earl G. Lawsha, Wonewoc.



## HOUSE OF REPRESENTATIVES

SATURDAY, FEBRUARY 14, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Father of Mercy, do Thou hearken unto our prayer. Thou who art the foundation of life's way, the vine with clustering food, the shadow of a great rock against life's heat, the great physician when the traveler falls, the friend all along the journey, and the open door at the end of the way, consider us and bless us and accept the offerings of our grateful hearts. We praise Thee for Him who is the one perfect flower of divine manhood. To-day, O God, may our very best judgment and wisdom be translated into service. Make all our institutions sacred, beautiful, sweet, and human. Oh, for that life that shall transform the individual, soften government, give humanity to law and sanctity to society! The Lord be gracious and merciful and hear our longing. Amen.

The Journal of the proceedings of yesterday was read and approved.

SMALL ISLANDS ALONG THE SEACOAST OF ORANGE COUNTY, CALIF.

Mr. COLTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11968) to reserve for public use scenic rocks, pinnacles, reefs, and small islands along the seacoast of Orange County, Calif., and agree to the Senate amendments.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

Mr. GARNER. Reserving the right to object, there are a number of bills of this character on the Speaker's table, and while the Senate amendment is only to change a word, it might make considerable difference in the effect of the bill. I dislike to take the time on Private Calendar day, but I do think that the gentleman ought to explain briefly to the House what effect the Senate amendments will have.

Mr. COLTON. I shall be glad to do that, and I yield to the gentleman from California [Mr. SWING].

Mr. SWING. In this particular bill the amendments make no substantial change in the effect of the bill. The House passed the bill with the provision for the reservation of these small rocks, these little islands, running along the fringe of the coast and the Senate inserted the word "temporarily"—pending proper legislation by Congress. The amendment of placing the word "or" instead of the word "and" is simply a taste in phraseology and does not change the effect.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, after "hereby," insert "temporarily."

Page 1, line 6, after "reserved," insert "pending enactment of appropriate legislation by the Congress of the United States."

Page 1, line 7, strike out "and" and insert "or."

The Senate amendments were agreed to.

IMPORTS OF PRODUCTS PRODUCED OR MANUFACTURED BY CONVICT OR FORCED LABOR

Mr. MILLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a memorial from the Legislature of the State of Washington on the Russian situation.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MILLER. Mr. Speaker and gentlemen of the House, Russian imports into the United States, the production of convict, forced, or indentured labor is the outstanding menace to free American labor and free American production.

The people of the Pacific coast, and especially of the State of Washington, are alive to this threatening situation. The great industries of that State are the production of lumber and pulpwood, and in these the Russian imports, if allowed to enter this country, can and will crush even the prosperity of that State.

The menace has become so alarming that the Legislature of Washington has memorialized Congress to exclude these productions of Russia in the following memorial:

STATE OF WASHINGTON,  
SENATE CHAMBER,  
Olympia, February 10, 1931.

Hon. JOHN F. MILLER,

House of Representatives, Washington, D. C.

MY DEAR SIR: Inclosed is a true and correct copy of Senate Joint Memorial No. 3, passed by the legislature of this State and forwarded to you, as requested by the legislature.

Respectfully yours,

HERBERT H. SIELER.

Senate Joint Memorial No. 3

We, your memorialists, the Senate and the House of Representatives of the State of Washington in legislative session assembled, most respectfully represent and petition your honorable body as follows:

Whereas many of the basic industries and pursuits of the West, particularly the State of Washington, are engaged in wheat raising and in the manufacture and production of pulpwood, lumber, other forest products, and manganese; and

Whereas large sums of money have been invested in the farms and plants and equipment for the production or manufacture of all such products, and large numbers of people are directly dependent upon the productions and operations of all such activities for the livelihood of themselves and their families; and

Whereas the welfare and prosperity of the West, particularly the State of Washington, is directly dependent upon the continuance of productions of wheat, pulp and paper, lumber manufacture, logging and manganese mining, and upon the continuance of operations of allied and dependent activities; and

Whereas continued and increased importations of all such products from Russia present distinct menaces to and threaten the continued employment of American labor and American production, and the development, growth, progress, and prosperity of the West, particularly the State of Washington, as well as its several manufacturing and commercial activities; and

Whereas it is necessary in the promotion of our general welfare and to create and continue progress and prosperity that American labor and industry shall not be forced into competition with convict or forced or indentured labor in the production of products, and it is believed that the Congress of the United States is duly and fully authorized to enact laws preventing and prohibiting such competition, that of necessity tend to force lowering the standard of American living and wages, and operate to produce idleness to labor and distress and depression to business and commercial activities, and as it is believed the enactment of such laws would be in strict accord with the spirit of the Constitution of the United States of America;

Therefore your memorialists most sincerely and respectfully memorialize your honorable bodies to enact at the present session of Congress a law or laws that will prevent and prohibit the importation into the United States of any and all products produced or manufactured by convict or forced or indentured labor of any kind.

And your memorialists will ever pray.

Passed by the Senate January 30, 1931.

Passed by the House February 6, 1931.

## AMENDING SECTION 19 OF THE IMMIGRATION ACT OF 1917

Mr. VINCENT of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 3394, "An act to amend section 19 of the immigration act of 1917 by providing for the deportation of an alien convicted in violation of the Harrison narcotic law and amendments thereto," and agree to the Senate amendments. I ask this by the direction of the Committee on Immigration and Naturalization at a meeting this morning.

The SPEAKER. The gentleman from Michigan, by direction of the Committee on Immigration and Naturalization, asks unanimous consent to take from the Speaker's table the bill H. R. 3394, with Senate amendments, and agree to the same.

The Senate amendments were read, as follows:

Page 1, line 3, strike out "except an addict, if not a dealer or peddler" and insert "(except an addict who is not a dealer in, or peddler of, any of the narcotic drugs mentioned in this act)."

Page 1, lines 4 and 5, strike out "violate or conspire to violate" and insert "be convicted and sentenced for violation of or conspiracy to violate."

Page 1, line 6, after "compounding," insert "transportation."

Amend the title so as to read: "An act to provide for the deportation of aliens convicted and sentenced for violation of any law regulating traffic in narcotics."

Mr. SABATH. Reserving the right to object, is there any special need for this legislation? Is not this included in the deportation act that we passed in 1924 and 1928?

Mr. VINCENT of Michigan. I think it is not included in that. This bill was brought up last June or July and con-



sidered in the House and passed. It went to the Senate and the Senate adopted it with the amendments which have been read by the Clerk. The only important amendment in the bill was one which requires conviction and sentence while the House bill only required that the man be found guilty of having done the various things stated in the bill.

Mr. SABATH. The gentleman moves to agree to the Senate amendment. And that means that there must be a conviction and sentence before deportation. That is what I have contended for all along.

The Senate amendments were agreed to.

#### BUTTER SUBSTITUTE

Mr. KVALE. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. KVALE. Mr. Speaker, for some weeks a considerable number of Members of this House have been interested in the effect of a ruling by the Commissioner of Internal Revenue upon the dairy industry, particularly on the price of creamery butter. Hearings have been held before the Rules Committee in an endeavor to secure a special rule for consideration of the Brigham bill. Mass meetings and group meetings have been held with representatives of the dairy industry; the last was held yesterday in the caucus room of the House Office Building. There was a good attendance, and a lively interest was shown.

We are told that the Rules Committee is to meet next week, after a delay of several days following the hearings that we had before that committee, and is then to decide whether or not we are to have a chance to discuss the merits of this measure on this floor and take appropriate action.

In last night's newspapers there appeared an advertisement of a certain oleomargarine. Four times in that one advertisement there appears the word "butter," and four times there is forced on the reader a dishonest comparison through this use of the word "butter" in connection with the artfully devised offer of a butter spreader as a free premium. In to-day's newspapers will be found another advertisement which tells the reader in clear English that butter is lower in price to-day than it has been "for several years," and that the price of creamery butter to-day is the "lowest quoted in many years."

I hold that should be ample evidence to the Rules Committee of the dire emergency that confronts the dairy industry and of the consequent need for this legislation. That should be ample evidence to support the contention of those of us who have appeared before the Rules Committee and who have informally organized for this fight, that the bill should come on the floor of this House without further delay, so that we may discuss the measure and take whatever action we feel should be taken.

I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. KVALE. Mr. Speaker, under leave to extend my remarks, I add:

These advertisements bear out forcefully the statements that have been entered before the Rules Committee, and the arguments which assisted the Committee on Agriculture in reaching their decision to report the Brigham bill favorably, and press for its enactment at this session.

They show the critical condition of the creamery butter market and the corresponding effect upon the dairymen of this whole Nation. They show the deliberate intent of the oleomargarine producers to abandon all adherence to ethical or decent advertising, and to put over this tremendous campaign to grab the butter market before remedial action can be had.

It appears that there is little or no hope for help from the administrative agencies of this Government. They put the ruling into effect. They will not amend or recall that ruling. In a short time all oleomargarine will be colored with this palm oil, that comes into this country duty free,

colors the product that yet can be sold without being subject to the 10-cent tax.

Mr. Speaker, the Rules committee granted a hearing. Not one witness appeared in opposition. That was many days ago. I now ask why there should be any virtue in the announced policy of that committee of never "pocketing" a rule that has been reported, when the executive meeting of the committee is delayed in this fashion, despite the rapid approach of the date of final adjournment.

We have done our best, as individual Members and as a group, to impress upon the Rules Committee the need for immediate action. We should not be required to convince that committee of the merits of the bill, or turn that committee into a miniature "House." The advertisements I have read to-day should be final evidence. The same oleo company which inserted the ad in the local paper has also embarked upon a great campaign of advertising in national weekly magazines. Huge pages, in many colors, tell the reader the new product can not be distinguished from other "spreads for bread." There is quoted from Wordsworth: "My heart leaps up when I behold a rainbow in the sky."

Mr. Speaker, my heart sinks low when I behold the plight of the dairy farmer to-day. The Rules Committee will have something to answer for if it refuses to bring in a rule which will permit this bill to be debated and acted upon in time so that we may try to enter it upon the statute books before we adjourn sine die.

#### FOREIGN LOANS

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER pro tempore (Mr. TILSON). Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, as I understand it to-day is to be devoted to the consideration of the Private Calendar.

The SPEAKER pro tempore. To-day was set apart for that purpose.

Mr. GARNER. I shall not object to the gentleman speaking for five minutes but I do suggest to the majority leader, now occupying the Chair, the propriety of undertaking to devote the day to the consideration of the Private Calendar.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I shall be compelled to object to any further request for time because of the sincere desire on the part of those interested in the Private Calendar to have these bills considered.

Mr. DYER. Mr. Speaker, reserving the right to object, what does the gentleman from Pennsylvania expect to talk about?

Mr. McFADDEN. I am going to put into the RECORD some data that I have in connection with foreign loans and other supporting data, if I am permitted.

Mr. DYER. The gentleman does not intend to pursue his attack on Mr. Eugene Meyer, of the Federal Reserve Board?

Mr. McFADDEN. I do not think I shall mention Mr. Meyer.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting certain supporting data of the few remarks I shall make in connection with the matter I am presenting.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. McFADDEN. Mr. Speaker, at various times during the past year I have discussed the question of foreign debts and the distribution and sale of foreign debts in the United States. Under the leave granted me this morning, not desiring to take up the time of the House unduly, I shall insert in the RECORD a compilation showing the total of the foreign government, municipal, and industrial loans made in the United States since 1919. It amounts to the enormous sum of over seven and three-quarter billions of dollars, and



this amount does not include money invested in foreign countries by the United States directly as a government, nor does it include industrial corporation loans in their own operations, nor does it include acceptances by the Federal reserve banks.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. McFADDEN. For a question.

Mr. SABATH. Will not the gentleman also include the names of the firms who negotiated these loans, and also at what price they have made them and the discount that they have received?

Mr. McFADDEN. I shall include the names of the banking houses that have floated these loans and show the total loans by the countries to which these loans have been made.

Mr. SABATH. And the large commissions which these bankers have charged?

Mr. McFADDEN. That is almost an impossible thing to get. I call the attention of the House especially to these matters because they indicate the large extent of the domination and control by international bankers of the diplomatic relations with foreign countries and the finances of the country. I shall also include a list of the interlocking directorates of the members of these firms, where they lead into other controlled financial institutions in the United States. I am doing this at this time because a serious situation has arisen in regard to a further exploitation by these people of American investors. I call attention to an article appearing in the newspapers under date of February 10, dated Habana, Cuba, United Press:

The consolidation of the Cuban debt for \$300,000,000 by J. P. Morgan & Co., New York financial house, was confirmed to-day. Negotiations were conducted under the guidance of President Machado. The form of the consolidation has not been revealed, and although negotiations have been going on for some time, confirmation was lacking until late to-night.

That means that \$300,000,000 of certain of these New York bankers represent debts that we all know amount to something over \$600,000,000 in Cuba.

Cuba is on the verge of bankruptcy, and the Government of Cuba is now in a very serious situation. We find these international bankers are preparing to unload their bad obligations which they have made in Cuba on the innocent American investing public in this kind of refunding operations, and I for one am not going to stand for it and remain silent.

I call attention to the fact that the newspapers under date of February 3 indicate that Peru is requesting a moratorium on foreign debts. Peru is also a heavy borrower in this country. Within the past two weeks Mr. Thomas W. Lamont, of J. P. Morgan & Co., announced a moratorium. He was speaking as chairman of the International Debt Committee for Mexico, where Mexico's debts have been juggled by these international financiers for a period of five years or longer, and now they are declaring a moratorium for another two years.

I say it is about time that the Congress and the people of the United States began to recognize what these international banking houses, who claim to be American, are doing and what is taking place. [Applause.] I say to you Members of the House, and I say it with knowledge, that the financial operations being carried on by these international bankers are tying this country absolutely. Not only are they directing the affairs of finance, but I have repeatedly called your attention to the domination of the State Department by these international groups. It is common knowledge that in the countries where they are carrying on their exploitations they are using the representatives of the State Department as cat's-paws to carry on their diplomatic and financial operations. We have a minister in Cuba at this time who is representing these international financial houses and has been engaged in negotiating this present \$300,000,000 loan. Ever since he went to Cuba he has had two expert accountants and possibly more; he was analyzing the financial affairs of Cuba. He had G. M. Jones, of the finance division of the Department of Commerce down there. He has now returned, and now we have the announcement of this great financial operation of the flotation by J. P. Morgan & Co. of \$300,000,000 of Cuban bonds.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. O'CONNOR of New York. Does the gentleman know what could have happened in Nicaragua in the financial relations which prevailed upon the Secretary of State to agree to take the marines out of there?

Mr. McFADDEN. I do not know about Nicaragua. I have not had a chance to go into it.

Another country that has defaulted, and from which these international bankers have been throwing their securities on the American market is Bolivia, to the extent of over \$58,000,000—ask the holders of these bonds in the United States to-day. They will tell you how they feel. Then next we come to Germany, and we find that since 1919 these same bankers have loaned to Germany and unloaded these bonds on American banks and investors to the extent of \$1,171,646,150, and to Austria \$109,000,000, and to Brazil \$370,000,000, and to Colombia \$182,178,000, and so on.

I now place in the Record the statement of the total of foreign government, municipal, and industrial loans made in the United States since 1919, amounting to \$7,784,717,430. This amount does not include money invested in foreign countries by the United States industrial corporations in their own operations, nor does it include money loaned privately by individuals, corporate or individual investment, or credits done privately, which amounts, at best, can only be guessed.

The total figure is that of loans wherein securities were sold to the public in the United States and that total only covers the amount that was outstanding on December 31, 1930, in every case except that of Canada, which it is impossible to check owing to the fact that in nearly all cases, Canadian banks are the trustees for the bond issues and they do not make public the amounts which have been retired by the operation of sinking funds or through outright purchase in the market.

In setting up the picture of foreign loans there follows a list of the countries with the amount of each country's obligation in the United States opposite its name and a complete list of the banks and banking houses in the United States through which these loans were negotiated or which assumed sponsorship.

There are 97 in all; of this number 16 are listed as the important ones, having been the negotiators of over \$6,000,000,000 out of the total. These 16 are designated by the numbers 1 to 16 placed before their names on the list. Banks or banking houses outside of New York do not appear on this list unless they sponsored or negotiated loans themselves; this does not mean that they did not participate in the syndicates formed to distribute the securities; a complete list of all members of syndicates would include every large bank in the United States and that is not the purpose of this report.

The Union Trust Co. of Pittsburgh, a Mellon institution, negotiated \$98,000,000 in foreign loans, but is not included in the list of 16 major banks, because most of this \$98,000,000 was on behalf of the Aluminum Co. in Canada and the Mellons control that company.

There was a time when the leading banks in New York could be definitely separated into two groups on foreign loans; to-day there is an entirely different picture. J. P. Morgan & Co.'s name never appears on a syndicate list unless they head the group. Kuhn, Loeb & Co.'s name appears in several syndicates headed by Morgan & Co.

Generally speaking there are banks known as "Morgan banks" or in the "Morgan group." They are Bankers Trust Co., Guaranty Trust Co., New York Trust Co., First National Bank, Bank of New York & Trust Co., and Lee, Higginson & Co.

The Kuhn, Loeb & Co. following is Bank of Manhattan & Trust Co., Chemical Bank & Trust Co., International Acceptance Bank, Dillon, Read & Co., J. & W. Seligman & Co., Speyer & Co., Lehman Bros., Hallgarten & Co., Ladenburg, Thalmann & Co., Goldman, Sachs & Co., Central, Hanover Bank & Trust Co., First National Old Colony Trust Co. (Boston). The Chase National Bank, the largest institution in the United States, has no Morgan representatives on its board of directors; there are at least two Kuhn, Loeb & Co.



men on the board. The Rockefellers are heavily interested in Chase. Winthrop Aldrich, the president, is their representative.

A typical syndicate on a Morgan issue is as follows:

J. P. Morgan & Co., Kuhn, Loeb & Co., First National Bank, National City Bank, Guaranty Trust Co., Bankers' Trust Co., Kidder, Peabody & Co., Lee, Higginson & Co., Harris, Forbes & Co., that was the syndicate which handled the Austrian international loan.

A typical Kuhn, Loeb & Co. syndicate is:

Kuhn, Loeb & Co., National City Bank, Guaranty Trust Co., First National Bank, Brown Bros., Kidder Peabody & Co., Chase National Bank, Lee, Higginson & Co., Continental & Commercial Trust & Savings Bank (Chicago), Union Trust Co. (Pittsburgh), Mellon National Bank (Pittsburgh), First National Bank of St. Paul, Blair & Co.

This syndicate distributed the Swedish \$30,000,000 loan of 1924. It will be seen that most of the houses in the two syndicates are identical.

Another important Kuhn, Loeb & Co. connection is that of the old Anglo-French Bank, now the British and French Investing Co. Sir Oscar Warburg (son of Frederic Warburg) and A. E. Meyer and Sir Frank C. Meyer are said to be partners. Warburg & Co., of Amsterdam, and M. M. Warburg & Co., of Hamburg, Germany. Dr. Hans Meyer is closely connected with both of these last-named firms.

It appears from the amounts opposite their names that Kuhn, Loeb & Co. was instrumental in loaning to foreign countries a great deal less than other houses. That is not really a true reflection, for a great many other items are carried by houses under Kuhn, Loeb & Co.'s direction, and the same can be said of Morgan & Co. in so far as its influence is concerned in the operations of Guaranty Trust Co., and Lee, Higginson & Co. in foreign fields.

Several security companies have been formed within the last few years to handle the smaller loans and investments, such as the United States and Foreign Securities Co., the Tri-Continental Corporation, the American and Continental Securities Corporation. However, they do not appear as participating in any of the Government loans.

There is also a separate list of the banks and banking houses with a number appearing before each one with names of their important directors or partners with numbers after their names. These numbers correspond and show in this simplified way the relationship of one banking house to another, through members of one firm being directors of another.

Paul Warburg, formerly of Kuhn, Loeb & Co. and still personally closely related there, is the means through which Kuhn, Loeb & Co. control Bank of Manhattan Trust Co. the International Acceptance Bank, and the First National Old Colony Trust Co., of Boston. There is no doubt that the same thing can be said of numerous other banks.

It can be said without fear of contradiction that when Morgan & Co. and Kuhn, Loeb & Co. negotiate a foreign loan they dominate the situation and dictate the terms under which other banks participate with them. Whereas other houses, not under control of these two leaders, not only have to carry on the loan negotiations, but have to sell their proposition to the other banks who join them in syndicates for the purpose of selling the securities to the American public.

That part of the list numbered 17 to 53 contains the names of a good many concerns not directly connected with foreign loans; these banks or banking houses or companies are added to show wherein lies a community of interest on the part of the directors of the major 16, for it is at these "outside" directors' meetings that many of the "understandings" are brought about. If one were to include the directorships in American companies held by the directors and partners of the banking houses, it would be easier to show the community of interest.

#### Loans made in United States since 1919

Argentina.....	\$504,578,800
Australia.....	109,223,800
Australia.....	269,275,500
Brazil.....	370,599,800

Bulgaria.....	\$17,300,500
Bolivia.....	58,128,500
Belgium.....	252,138,600
Colombia.....	182,178,800
Canada.....	1,480,506,900
Chile.....	359,387,500
Cuba.....	145,771,100
Costa Rica.....	9,247,500
Czechoslovakia.....	46,963,700
Dominican Republic.....	21,652,500
Denmark.....	180,507,000
Dutch East Indies.....	159,848,500
Danzig.....	4,500,000
Estonia.....	3,903,000
France.....	327,922,400
Finland.....	81,049,500
Greece.....	34,772,500
Great Britain.....	159,635,590
Germany.....	1,171,646,150
Guatemala.....	300,000
Hungary.....	102,843,000
Haiti.....	11,404,000
Holland.....	52,705,000
Italy.....	306,528,240
Japan.....	373,913,800
Norway.....	206,243,000
Panama.....	23,720,000
Peru.....	107,722,000
Poland.....	123,878,150
Rumania.....	67,909,400
Saar Basin.....	8,108,000
Sweden.....	212,992,500
Switzerland.....	69,627,500
Salvador.....	29,116,700
Uruguay.....	69,160,500
Yugoslavia.....	56,583,500
Venezuela.....	3,780,000
Mexico.....	2,384,000

Total..... 7,784,717,430

This total is the amount outstanding as of December 31, 1930.

#### Banking houses and their participation in foreign loans

Aldred & Co. (Ltd.).....	\$55,560,000
Ames, Emerich & Co.....	19,127,500
Baker, Kellogg & Co. (Inc.).....	25,452,900
8. Bancamerica-Blair Corporation.....	414,847,800
12. Bankers' Trust Co. of New York.....	103,836,000
Chas. D. Barney & Co.....	3,000,000
G. E. Barrett & Co. (Inc.).....	4,000,000
Bauer, Pond & Vivian.....	3,949,000
A. G. Becker & Co.....	25,388,000
Bennett, Converse & Schwab (Inc.).....	640,000
Blyth-Witter & Co.....	46,867,900
Boenning & Co.....	400,000
Bonbright & Co. (Inc.).....	27,500,000
Bond & Goodwin & Tucker (Inc.).....	2,250,000
Bridgeport (Conn.) Trust Co.....	1,000,000
Brokaw & Co.....	1,919,000
10. Brown Bros. Harriman & Co.....	214,130,500
Geo. H. Burr & Co.....	2,600,000
Central Illinois Co.....	487,800
Central Trust Co. of Illinois.....	1,454,500
P. W. Chapman & Co. (Inc.).....	7,345,500
5. Chase Securities Corporation.....	489,211,100
Chatham-Phenix Corporation.....	33,530,000
Coffin & Burr (Inc.).....	1,300,000
Colvin & Co.....	1,100,000
Continental & Commercial Trust & Savings Bank.....	2,000,000
6. Dillon, Read & Co.....	824,080,750
Estabrook & Co.....	12,500,000
First National Bank of New York.....	2,828,000
11. First National Old Colony Corporation.....	96,379,000
First Trust & Savings Bank.....	13,000,000
Harvey Fisk & Sons.....	1,543,750
Freeman, Smith & Camp Co.....	125,000
A. G. Ghysels & Co. (Inc.).....	1,980,000
Goldman, Sachs & Co.....	8,377,500
G. V. Grace & Co. (Inc.).....	250,000
Grace National Co.....	14,847,500
Greenshields & Co.....	3,000,000
2. Guaranty Co.....	434,939,000
14. Hallgarten & Co.....	216,572,840
Halsey, Stuart & Co. (Inc.).....	51,644,300
Hambleton & Co.....	700,000
13. Harris, Forbes & Co.....	191,338,900
Hemphill, Noyes & Co.....	3,000,000
Hitt, Farwell & Co.....	990,000
A. A. Housman Gwathmey & Co.....	3,780,000
Howe, Snow & Bertles (Inc.).....	12,287,500
E. F. Hutton & Co.....	9,600,000
International Acceptance Bank (Inc.).....	3,000,000
International Manhattan Co. (Inc.).....	5,360,000
Interstate Trust & Banking Co.....	1,980,000
A. Iselin & Co.....	60,117,500
Jesup & Lamont.....	1,000,000
Kissell, Kinnicutt & Co.....	45,775,000
Kountze Bros.....	1,500,000



4. Kuhn, Loeb & Co.	\$384,738,700
Ladenburg, Thalmann & Co.	9,740,000
A. M. Larnport & Co. (Inc.)	820,500
7. Lee, Higginson & Co.	456,722,500
Lehman Bros.	20,375,000
F. J. Lisman & Co.	29,283,100
Lumbermen's Trust Co.	175,000
R. H. McClure & Co.	940,000
Marine National Co.	150,000
Marshall, Field, Gloré, Ward & Co.	43,288,000
Merchants Trust & Savings, St. Paul	4,000,000
Minneapolis Trust Co.	4,000,000
1. J. P. Morgan & Co.	1,659,568,400
Morgan, Livermore & Co.	800,000
3. National City Co.	900,403,990
John Nicholson & Co. (Inc.)	3,365,000
Otis & Co.	4,487,500
Paine, Webber & Co.	11,353,500
Peabody, Houghteling & Co. (Inc.)	18,500,000
Peabody, Smith & Co. (Inc.)	2,000,000
Potter & Co.	2,305,500
Redmond & Co.	4,612,500
C. B. Richards & Co.	1,307,000
E. H. Rollins & Sons	40,764,500
Scholle Bros.	\$2,362,500
J. Henry Schroeder Banking Corporation	14,000,000
Schuyler, Earle & Co.	300,000
Schwabacher & Co.	2,000,000
15. J. & W. Seligman & Co.	128,854,500
Edmund Seymour & Co. (Inc.)	2,000,000
J. A. Sisto & Co., New York	5,437,500
16. Speyer & Co.	237,411,300
Stone & Webster & Blodget (Inc.)	20,631,900
Jerome B. Sullivan & Co.	1,384,000
Taylor, Ewart & Co. (Inc.)	800,000
Lawrence Turnure & Co.	3,250,000
Union Trust Co., Pittsburgh	98,050,000
A. D. Watts & Co.	1,925,000
J. G. White & Co. (Inc.)	11,494,000
9. White, Weld & Co.	103,372,000
R. E. Wilsey & Co.	1,350,000
Wood, Gundy & Co. (Inc.)	35,000,000

*Major banks and banking houses, with their banking affiliations*

1. J. P. Morgan & Co.
2. Guaranty Co.
3. National City Co.
4. Kuhn, Loeb & Co.
5. Chase Securities Corporation.
6. Dillon, Read & Co.
7. Lee, Higginson & Co.
8. Bancamerica-Blair Corporation.
9. White, Weld & Co.
10. Brown Bros., Harriman & Co.
11. First National Old Colony Corporation.
12. Bankers Trust Co.
13. Harris, Forbes & Co.
14. Hallgarten & Co.
15. J. & W. Seligman & Co.
16. Speyer & Co.
17. First Security Co.
18. Drexel & Co., Philadelphia.
19. Fifth Avenue Bank.
20. Corn Exchange Bank & Trust Co.
21. Bank of Manhattan Trust Co.
22. Continental Illinois Bank & Trust Co., Chicago.
23. Chemical Bank & Trust Co.
24. Morristown Trust Co.
25. First National Bank, Chicago.
26. International Acceptance Bank.
27. Irving Trust Co.
28. City Bank, Farmers Trust Co.
29. New York Trust Co.
30. Federal Reserve Bank, New York.
31. International Banking Corporation.
32. Provident Loan Society.
33. Lazard Freres.
34. National Shawmut Bank, Boston.
35. Goldman, Sachs & Co.
36. Central Hanover Bank & Trust Co.
37. Central Savings Bank.
38. J. Henry Schroeder Banking Corporation.
39. Empire Trust Co.
40. United States Trust Co.
41. American Acceptance Corporation.
42. Bond, Mortgage & Guarantee Co.
43. Spencer Trask & Co.
44. Chas. D. Barney & Co.
45. Overseas Securities Corporation.
46. Title Guarantee & Trust Co.
47. Tri Continental Corporation.
48. Bonbright & Co.
49. American Continental Corporation.
50. Aldred & Co.
51. Bank of New York & Trust Co.
52. Continental Securities Corporation.
53. G. M. P. Murphy & Co.

*J. P. Morgan & Co.*

J. P. Morgan, 17; Thomas W. Lamont, 17, 2; J. S. Morgan, jr.; E. T. Stotesbury, 18; Charles Steele; H. G. Lloyd, 18; Thomas Cochran, 12, 19; George Whitney, 2; Thomas S. Gates; R. C. Leffingwell; F. D. Bartow, 20; A. M. Anderson; William Ewing, 12; Harold Stanley; Henry S. Morgan; Thomas S. Lamont; S. Parker Gilbert.

*Guaranty Co.*

William C. Potter, president; Charles H. Sabin, chairman; Marshall Field, 21, 22, 49; Robert W. Golet, 23, 46; Phillip G. Gossler, 24, 10; William A. Harriman, 10, 21; Albert H. Harris, 25; David F. Houston, 26; Grayson M. P. Murphy, 53; George E. Roosevelt, 23; Charles B. Seger, 26; Mathew S. Sloan, 27, 24; Joseph B. Terbell, 10; Thomas Williams, 23.

*National City Co.*

Guy D. Cary, 28; Cleveland E. Dodge, 28; John A. Garver, 29, 42; Joseph P. Grace, 28; Charles E. Mitchell, 28, 30; James H. Post, 28; Gordon S. Rentichler, 28, 31; Perry A. Rockefeller, 32, 10; Samuel Sloan, 28; Beekman Winthrop, 28, 31.

*Kuhn, Loeb & Co.*

Felix M. Warburg, 26, 21, 42; Otto H. Kahn, 5, 24; Mortimer L. Schiff, 23, 32; Jerome J. Hanauer; Gordon Leith; Geo. W. Bovenizer; Lewis L. Strauss; Sir Wm. Wiseman.

*Chase Securities Corporation*

Winthrop W. Aldrich; Frant Altschul, 33; Howard Bayne, 24; Hugh Blair-Smith, 34; Henry S. Bowers, 35; Newcomb Carlton, 26; Harold B. Clark, 9; Paul D. Cravath; Bertram Cutler, 24; Clarence Dillon, 6, 36; Fred H. Ecker, 32; Charles S. Hayden; Otto H. Kahn, 4; Charles S. McCain, 37; John McHugh, 38; Jeremiah Milback, 32; Geo. Welwood Murray, 24; Samuel F. Pryor, 10; Charles M. Schwab, 39; Thos. F. Vietor, 37; Albert H. Wiggin; Seward Prosser, 12.

*Dillon, Read & Co.*

Clarence Dillon, 5, 36; Wm. A. Phillips, 23; Dean Mathey, 29; J. H. Seaman; W. M. L. Fiske; Roland L. Taylor; Wm. A. Read, jr.; E. J. Birmingham; J. V. Forrestal; A. M. Barnes; R. H. Pollard; Duncan H. Read; Westmore Willcox, jr.; Robt. O. Hayward; H. G. Ritter 3d; W. S. Charnley; Clifton M. Miller; R. E. Christie, jr.

*Lee, Higginson & Co.*

Fred W. Allen, 29; Jerome D. Greene; Donald Durant, 28; Edward N. Jessup; Robert Grant, jr.; George Murnane, 12.

*Bancamerica-Blair Corporation*

A. H. Giannini (chairman); E. C. Delafield (president); Elisha Walker (chairman executive committee); Frank Bailey, 42, 46; Frank L. Dame, 49; Henry J. Fuller, 50, 11; Robert Law, 10; Sam Lewisohn; William D. Loucks, 10; Acosta Nichols, 43.

*White, Weld & Co.*

Harold T. White, 32; Francis M. Weld, 36; Farris R. Russell; Harold B. Clark, 5; W. J. K. Vanston.

*Brown Bros., Harriman & Co.*

James Brown, 36; James Crosby Brown; Thatcher M. Brown, 40; Moreau Delano; Ray Morris, 51, 52; Charles D. Dickey, 28; E. S. James, 34; W. A. Harriman, 2, 21; E. R. Harriman, 28; M. C. Brush, 39, 21.

*First National Old Colony Corporation*

J. E. Aldred, 50; Bernard W. Trafford; Phillip Stockton; Allan M. Pope; Nevil Ford; R. Paker Kuhn; F. Abbott Goodhue, 26, 21, 49; Paul M. Warburg, 21, 26, 49.

*Bankers Trust Co.*

Seward Prosser, chairman, 5; Albert A. Tilney; Cornelius Bliss, 40; Henry J. Cochran, president; Thomas Cochran, 1; S. Sloan Colt, 41; John I. Downey, 19, 42; William Ewing, 1; Walter E. Frew, 20, 46; Michael Friedsam, 21; Edwin M. Bulkeley, 43; John W. Hanes, 44; Horace Havemeyer, 26; Fred I. Kent, 45; Ronald H. MacDonald, 42, 46; George Murnane, 7; Landon K. Thorne, 48.

*Harris, Forbes & Co.*

Harry Addinsell, 5, 29; Lloyd W. Smith; E. Carleton Granberry, 49; Fred S. Burroughs; Don C. Wheaton, 49.

*Hallgarten & Co.*

Casimir I. Stralem, Max Horwitz, G. Merzbach, Maurice W. Newton, H. Walter Blumenthal, Andrew J. Miller, Melvin L. Emerich.

*J. & W. Seligman & Co.*

Henry Seligman; Jefferson Seligman; Fred Strauss, 36, 47; Walter Seligman; John C. Jay, 19; Robert V. White, 47; Earle Baile, 47; Francis F. Randolph, 47, 5; Henry C. Breck, 47.

*Speyer & Co.*

James Speyer, 21, 27, 32, 46; Edward B. Von Speyer; Herbert B. Von Speyer.

*First Security Co.*

George F. Baker, jr., 32; Thomas W. Lamont, 1, 2; J. P. Morgan, 1.

*Fifth Avenue Bank*

Thomas Cochran, 1; John I. Downey, 12, 42; A. S. Frissell; John C. Jay, 15; Alfred E. Marling, 46; Fred Osborne, 53; Orlando F. Weber.

*Corn Exchange Bank & Trust Co.*

Francis D. Bartow, 1; Clinton D. Burdich, 46, 42; George Doubleday, 29; Robert A. Drysdale, 37; Walter E. Frew, 12, 46; Phillip Leh-



man; Robert Lehman; Charles W. Nichols, 46; Henry A. Patten; Daniel Schnakenburg, 37; Richard Whitney.

*Bank of Manhattan Trust Co.*

John E. Aldred, 50, 11; J. Stewart Baker, 26; Stephen Baker, 26; Matthew C. Brush, 39, 10; Marshall Field, 49, 22, 2; Michael Friedsam, 12; F. Abbott Goodhue, 49, 11, 26; P. A. Rowley, 26; James Speyer, 16, 46, 32, 37; James P. Warburg, 49, 26; Paul M. Warburg, 26, 49, 11.

The foregoing, of course, does not begin to show all the interlocking relationship with many other important financial institutions in the United States, nor does it show these relationships which are tied in with the railroads and other leading industries, including water power, steel, oil, and chemicals.

I pointed out some further affiliations of this same group in two statements which I recently made before a subcommittee of the Senate Committee on Banking and Currency when I was opposing a further attempt of these same international banking interests to now take over and completely dominate the Federal reserve system.

I now place in the RECORD a letter in regard to the Mexican debt situation from Howard T. Oliver, of New York, a citizen of unquestioned integrity and standing, who has been a victim of these negotiators:

NEW YORK, January 27, 1931.

HON. LOUIS T. McFADDEN,  
Chairman Committee of the House on  
Banking and Currency, Washington, D. C.

MY DEAR MR. McFADDEN: I beg to submit for your consideration certain facts and conclusions regarding the activities of the International Committee of Bankers on Mexico, which I believe warrant an investigation by your committee. These facts have been enumerated concisely as possible commensurate with a comprehensive portrayal of a situation which is at variance with the public policy of the United States.

The facts and conclusions herein presented will, I believe, lead to the conclusion that the International Committee of Bankers on Mexico has exercised dominance over the Mexican policy of the State Department, attempted to influence the courts of the United States, drained the Mexican Government of much-needed funds, surrendered the rights of security holders, confused the titles of Mexico's foreign debts, enjoyed preference over other classes of Mexico's creditors, caused the reduction in value of Mexican bonds, minimized that Nation's credit, aroused ill will toward the United States, and otherwise complicated our relations with Mexico.

I respectfully request that representatives of the International Committee of Bankers on Mexico be called to explain the statements herein and that I be given like opportunity to support them by evidence and data in my possession. I sincerely believe that the International Committee of Bankers on Mexico has outlived its usefulness and that it is the duty of your committee to terminate the activities of the bankers committee and to assist in bringing about a new constructive plan for the protection of the creditors of Mexico and the rehabilitation of Mexico's financial position.

I. The committee of bankers entered into contractual relations with the Government of Mexico at a time when recognition was being withheld from said Government by the Department of State. The resultant debt agreement was therefore in direct contravention of the public policy of the United States at that time.

II. A spokesman for the committee of bankers declared that the United States Government would be compelled to reverse its policy of nonrecognition of Mexico if the continuance of said policy should permit any interference with financial arrangements entered into by said committee with the Government of Mexico—the inference being that the bankers committee exercised sufficient dominance over the State Department to force a change in the general policy of the United States toward Mexico. Within one month after the above declaration the State Department granted recognition to Mexico.

III. The bankers committee, in the person of its counsel, attempted to obstruct the due processes of the courts of the United States and to instruct said courts in the civil action of the Oliver American Trading Co. against the Government of the United States of Mexico and the National Railways of Mexico, although said committee was not a party thereto. Attempted dominance of the courts by a committee of international bankers is especially repugnant to American principles.

IV. The bankers committee, through the person of its counsel, sought and succeeded in enlisting the interposition of the Secretary of State in the courts, contrary to the sharply defined principles of differentiation of the three branches of our Government as set forth in the Constitution of the United States. The susceptibility of the Secretary of State to suggestions of the bankers committee in the matter referred to emphasized the dominance of the bankers.

V. The bankers committee is a nonincorporated body, which assumed highly arbitrary powers, without responsibility, individually or collectively, to the United States, to any State therein, to Mexico, or to holders of Mexican securities. The addresses of

the members are so published as to give the impression that the banking firms of which they are members appeared as sponsors for the acts of said committee, whereas less conspicuous statements refute this impression. Mr. T. W. Lamont, of J. P. Morgan & Co., is chairman and Mr. Frank L. Polk is counsel.

VI. The International Committee of Bankers on Mexico has at all times since its inception in 1921, and despite occasional protests to the contrary, maintained a dual capacity, namely, as agents for the Government of Mexico and as representatives of the holders of Mexican Government and national railway securities. The abuses possible under such dual rôles are self-evident and constitute a jeopardy of the rights of unsuspecting holders of the aforementioned securities. Curiously enough, the committee of bankers continues to function despite the expiration of its self-allotted period of existence and the termination of the various contracts entered into. No public accounting has been rendered.

VII. In its self-assumed character as representative of the holders of Mexican securities, although it has never represented all of the bondholders, the International Committee of Bankers permitted the Mexican Government to believe that the latter's acquiescence in the terms of contracts with it would redound to the financial benefit of that country's finances and made a number of misleading statements justifying that Government in believing that loans or credits would result therefrom. No loans having been forthcoming, the deception of the Mexican Government has adversely affected the good will between the people of Mexico and the people of the United States, and is therefore of concern to our Representatives in the Congress.

VIII. As a result of the arguments and representations of the committee the Mexican Government was inveigled into straining its financial position far beyond its means in order to deliver to the said committee more than \$48,000,000 destined for payment on account of her foreign debt. The efforts of the Mexican Government to comply with the contracts which she was induced to sign and ratify have frequently proven to be at the sacrifice of payments to school teachers, civil employees, the army, native and foreign merchants, and other creditors. The resulting preference enjoyed by the international committee has frequently aroused internal dissensions in Mexico which in turn constitute a menace to friendly relations with the United States.

IX. In the self-appointed rôle as representatives of the bondholders the latter were induced by the International Committee of Bankers to surrender rights stipulated in the original terms of their securities under erroneous representations that Mexico had at last achieved political tranquility and would be able permanently to resume payments on her foreign obligations. That the committee erred in its judgment, acted contrary to the advice of others who were better informed on Mexican conditions, such as the Department of State, which was withholding recognition, is evidenced by the fact that two revisions downward of the original contract with Mexico have been signed. The ineptness of the committee has caused material injury to the rights of many American and European investors who had been led to have implicit confidence in the good will of Mexico and her capacity to pay. The resultant disillusionment has reduced public confidence in our southern neighbor and destroyed her credit. This is of practical concern to the people of the United States.

X. That each succeeding debt agreement waived further rights and reduced the value of the terms of the original bonds indicates that the trust of the security holders in the personnel of the committee was abused beyond precedent. It was the practice of the committee first to commit the bondholders to reduce terms with Mexico and then induce the security holders to accept each succeeding reduction in their rights by intimations that Mexico was now capable of meeting the new terms. The effect of the arbitrary chiseling or whittling away of the terms stipulated in the original titles of the Mexican bonds and the nullification of some classes of bonds sets a most pernicious precedent tending to jeopardize \$15,000,000,000 of American investments in other foreign government securities.

XI. The rights of 4,000 American claimants and other creditors of Mexico have been relegated to an inferior position due to the priority claimed and obtained by the International Committee of Bankers in behalf of the holders of Mexican securities. Holders of certain classes of secured bonds of Mexico have been protesting at the favoritism granted inferior classes by the bankers committee and demanding suitable recognition for their own. In other words, complete confusion has arisen as to the priority of various classes of bonds, the prior rights of claimants, and other classes of creditors. The resultant tangle of Mexico's external debt by this unofficial and unincorporated committee of bankers has set up a serious problem for the United States to unravel.

XII. The bankers' committee has on hand, undistributed and undistributable to the bondholders, approximately \$17,000,000 received from the Mexican Government. There is no agreement in effect providing for its disposition, the title is not defined, and there is no one to demand an accounting for it, excepting the Committee on Banking and Currency of the House. About \$33,000,000 have been paid to the bondholders and about \$2,000,000 interest has accrued.

The preferred position heretofore enjoyed by the International Committee of Bankers on Mexico has contributed materially to the utter failure of the powers of diplomacy of the State Department to protect the rights of other citizens in Mexico either by direct representation or through the claims conventions.



The challenge herein presented to the people of the United States through their representatives in Congress, by way of you and your committee, is whether the power and authority of our executive department shall be subordinate to the influence and will of an unincorporated group of bankers at the expense of other citizens.

Respectfully yours,

HOWARD T. OLIVER.

I now desire to refer to the last meeting of the International Committee on Mexican Debt, presided over by Mr. Thomas W. Lamont and which was held in New York, and to point out to you that in this agreement of July 25, 1930, it was proposed to make a refunding bond issue amounting to \$267,493,250. These bonds are to run for 45 years and pay 5 per cent interest under the law, but in the agreement the interest runs on a sliding scale for the first five years. The proposed issue is to be divided as follows:

Series A, \$139,389,678; series B, \$128,103,572.

The interest on series A is to be 3 per cent in 1931 and 1932, 4 per cent in 1933 and 1934, and 5 per cent in 1935 and thereafter.

The series A bonds are evidently intended to cover the secured debt of \$68,806,000 and the total interior debt of \$67,606,000, amounting to \$136,412,000, mentioned in the schedule of debts accepted in the Lamont-De la Huerta agreement of June 16, 1922, page 41. It will be noted that the proposed issue of A bonds in the agreement under discussion is approximately \$3,000,000 larger in amount than these same debts as set up in the agreement of June 16, 1922.

The interest on series B is to be 3 per cent in 1931, 1932, and 1933, 3½ per cent in 1934, 4 per cent in 1935 and 1936, and 5 per cent each year thereafter.

The series B bonds for \$128,103,572 are evidently proposed to cover "the secured debt" accepted in the Lamont-de la Huerta agreement of June 16, 1922, which holds a lien of 100 per cent on the import and export taxes of the Mexican Government. (See memorandum of history of these bonds attached hereto.) This debt is stated as \$128,684,000 in the Lamont-de la Huerta agreement of June, 1922.

The above items appear as follows under the title of "Schedule of obligations" on page 41 of the Lamont-de la Huerta agreement:

Mexican Government 5's, 1899.....	\$48,635,000
Mexican Government 4's, 1910.....	50,949,000
\$6,000,000 Mexican Government 6's, 1913.....	29,100,000
<b>Total secured debt.....</b>	<b>128,684,000</b>
5 per cent municipal loan.....	6,769,000
Mexican Government 4's, 1904.....	37,037,000
Caja de Prestamos 4½'s.....	25,000,000
<b>Total unsecured debt.....</b>	<b>68,806,000</b>
Mexican Government 3's, 1886.....	21,151,000
Mexican Government 5's, 1894.....	46,455,000
<b>Total interior debt.....</b>	<b>67,606,000</b>

(No mention is made in this agreement of the Huerta bonds of 1913 and 1914 repudiated by Carranza but which were in a way recognized under the Lamont-de la Huerta agreement, as will be more fully explained further on. In the Lamont-de la Huerta agreement it was provided that the schedule of debts attached might be added to by later including "such other issues as the minister and the committee might jointly agree should be included in the Government external debt and railway debt." The repudiated Huerta bonds and about \$118,000,000 in railway debts were the only items which had been omitted in this agreement.)

To cover the service of the new bonds to be issued under this agreement to refund the foregoing items the Mexican Government agrees to pay \$12,500,000 in 1931 (\$5,000,000 on account of which was paid as an evidence of good faith about September 1, last), increasing this payment by \$500,000 each year so that in 1936 and thereafter the payments are to be \$15,000,000 annually. These payments during the first five years are to include a special fund of \$11,755,003.38, which is to be used to take up all interest warrants and scrip and all interest due as of January 1, 1931, on the following basis:

	Value	Special fund
(a) At 1 per cent of face value, receipts for interest in arrears, class B of the aggregate value of.....	\$46,865,726.00	\$468,657.26
(b) At 2 per cent of face value, receipts for interest in arrears, class A of the aggregate value of.....	64,223,446.00	1,284,461.92
(c) At 10 per cent of face value, current interest scrip of the face value of.....	13,219,207.00	1,321,920.70
Unpaid cash warrants, overdue coupons and interest on Government obligations, calculated to Jan. 1, 1931, of the aggregate face value of.....	61,214,608.00	6,121,460.80
Current interest scrip on railway obligations of an aggregate value of.....	185,522,987.00	9,196,507.66
Overdue cash warrants on railway obligations "for which the Government stands responsible under the plan and agreement of June 16, 1922," etc.....	7,812,798.00	781,279.80
	17,772,159.00	1,777,215.90
	<b>211,107,944.00</b>	<b>11,755,003.38</b>

NOTE.—If this agreement should eventually go through the loss to security holders in connection with the first four items above, which refer to the bonded debt, would amount to \$176,326,479.32. The last two items refer to bonds of the Tehuantepec Railway and cash warrants issued on railway obligations before the modification of the Lamont-de la Huerta agreement made in October, 1925, went into effect. These items aggregate \$25,584,957. Taken up at 10 per cent these items would show a loss to security holders of \$23,028,461.30. Otherwise under this agreement it is proposed to wipe out all interest in arrears, amounting to \$211,107,944, by the payment of \$11,755,003.38 over a period of years, showing a net loss to security holders of \$199,352,940.62. This is a far different attitude from that taken in the Lamont-de la Huerta agreement of June 16, 1922, where all interest was calculated to January 1, 1923, and made a part of the recognized debt, while current interest from January 1, 1923, to January 1, 1928, was provided for, so far as it could be met in cash, by appropriation of the export tax on oil and a 10 per cent tax on the gross revenues of the National Railways.

This is but a brief outline of the present status of the Mexican debt situation which I have referred to in my opening remarks. A perusal of Mr. Oliver's letter clearly discloses the position of the State Department in all of these negotiations.

I am now placing in the RECORD at this point a statement appearing in the Christian Science Monitor under date of January 31, 1931:

GOLD PAYMENTS ON MEXICO'S \$500,000,000 DEBT SUSPENDED—2-YEAR POSTPONEMENT NECESSARY, LAMONT SAYS, BECAUSE OF PESO'S DECLINE—EQUIVALENT DEPOSITS IN SILVER TO BE MADE IN INTERIM

New York, January 31.—A suspension of transfer of payments of the Mexican foreign debt was announced yesterday by Thomas W. Lamont, of the banking house of J. P. Morgan & Co., and chairman of the International Committee of Bankers on Mexico.

Mr. Lamont said in a prepared statement that "a fresh agreement" had been entered into which was supplemental to and in substitution of the debt agreement signed in New York City on July 25 last. It had been made necessary, he said, by the decline in value of the Mexican silver peso.

He added that the Mexican Government had stated that its capacity to pay in gold had decreased so greatly it could not possibly, within the limits of its budget revenue and requirements, provide the amount of gold called for under the July 25, 1930, agreement. This agreement provided for the consolidation of debt placed at \$500,000,000 in gold.

Under the new agreement, signed in Mexico City by Montes de Oca, Minister of Finance, and in New York by Mr. Lamont, representing the bankers' committee, the Mexican Government may avoid for two years the obligation to make gold payments on its foreign debt.

The Mexican Government promises, however, to make deposits in silver equivalent to the gold payments. These silver deposits would be held in a "responsible depository" in Mexico City, and if within any time during the next two years the monetary situation in Mexico improves sufficiently to allow gold payments, Mexico promises that gold will be substituted for the silver.

The latest Lamont-Oca agreement also provides that the Mexican Government get back from the bankers' committee the \$5,000,000 (gold) which it paid on its debt last August and substitute silver for it in the Mexican depository.

It was regarded as significant that Mr. Lamont's statement made no mention of the rate of exchange at which the silver would be turned in at the Mexican depository.

The agreement, if ratified, will have the effect of again postponing all payments on the Mexican foreign debt.

The history of the Mexican debt situation has been one of frequent "postponements" and evasions of payments by one means or another. The first "agreement" between the Mexican Government and the international committee, called "the agreement of June 16, 1922," went into effect on December 8, 1923. Because of political disturbances in Mexico, which affected its financial plans, the Government issued an official decree on June 30, 1924, suspending the service of the foreign debt.

This suspension continued until the bankers' committee, after discussions with the then finance minister, Alberto J. Pani, arranged substantial modifications in the agreement, specifically separating the agreements as to the direct Government debt and the National Railways debt. The modified agreement, signed on October 23, 1925, became effective on January 1, 1926. Remittances on the Government debt under the modified plan were



made for about two years, but when full payments under the original loan agreements were to be resumed on January 1, 1923, the service on the direct debt again was suspended, the Government declaring itself unable to pay in full.

Discussion was resumed on June 25 last and the "agreement" of last July was arrived at. The Mexican Government again finds it impossible to live up to it.

The special delegates who conducted the negotiations here with Mr. Lamont were Roberto Casas Alatriste and Francesco Valladares, who had not been members of the commission which negotiated the previous agreement.

I now desire to refer to the agitation, which seems to be taking very definite form in regard to the international debt situation and German reparation payments under the Young plan, wherein it is indicated that a move is on for the revision of war-debt payments. In this respect, I cite the speech of Philip Snowden, Chancellor of the Exchequer, on the British war-debt settlement with America, on February 11 and reported in the New York Times of February 12, in which he predicted that posterity will curse those who were responsible for the British war-debt settlement. The article reads as follows:

He named no person, but, of course, he had in mind only the United States and Stanley Baldwin, who as Chancellor of the Exchequer, negotiated the war-debt settlement with the United States in 1922.

He is quoted:

We have the burden of the war debt. I don't want to give offense to anybody when I make this statement that when the history of the way in which that debt was incurred—its recklessness, its extravagance and its commitments made, which were altogether unnecessary at the time—when all that comes to be known, I am afraid posterity will curse those who were responsible.

I also direct your attention to a statement by a Member of Parliament, J. M. Kenworthy, who said on the same day in Parliament (and I am quoting from his speech as recorded in the New York Times of February 12):

There should be an international round table conference on the interallied war debts and reparations. We should consider a moratorium. The conference should be called by the United States, but that country apparently is afraid to make the move so England should take the initiative. Such a conference would be the best thing the world could have for the restoration of normal conditions. Up to the present—

He continued—

Germany has only made small payments which we have passed on to America, and America has re-lent the money to Germany. Now Germany doesn't dare borrow any more at high rates from America, and we will soon have a flood of German goods dumped on our markets and the markets of the world. All of eastern America and the American bankers are in favor of a policy of moratorium, but the Middle West has not come over and is still in favor of our policy of 1920, that the Germans must pay.

It is apparent that Mr. Kenworthy was receiving the bulk of his information from this international group of bankers.

This was followed immediately by a statement by Lady Astor. She declared that she would use such influence as she had in any part of the world to put an end to what the tall and bulky Laborite called "this impossible situation of interallied debts and reparations." The views of Lady Astor are significant because of her Virginian ancestry.

That we are on the eve of important developments affecting reparations and debt settlements in which these international bankers are involved was indicated in Berlin, Germany, during the present week when the new National Socialist Fascist Party, which is directed by Adolph Hitler, left the Reichstag en bloc joined by the Nationalist members of the Reichstag under the leadership of Doctor Hugenberg, and have refused to participate further, apparently, in the present session of the Reichstag as a protest against the financial program of the present administration in Germany.

This is significant when you take into consideration the fact that the main plan of the platform of the Hitler party is a reconsideration of the treaty of Versailles and the Young plan looking toward cancellation or a complete reconsideration of the debts owed by Germany.

In the midst of all of this international unrest we are advised that Lee, Higginson & Co. are now negotiating in Berlin and Paris for a new international loan to Germany, as is indicated by an article appearing on the financial page

of the Washington Star, under date of February 11, as follows:

Germany is seeking another loan. A small one this time—only a feeler—about \$32,000,000; and France is expected to take a good slice of it. If it is popular, it will be followed by other loans, for Germany must have several times this amount this year to keep going.

It is now well known that the last German loan of \$125,000,000 did not receive any wide support from the American people. It is not likely, therefore, that the United States will take any great amount of German issues for the next few months. Still, who knows? George Murnane, partner of Lee, Higginson & Co., the firm which handled the American end of the last loan, is at present in Paris working out, with other bankers, the details of the new issue, indicating, at least, that the United States will have an opportunity to subscribe for a part of the new issue.

George Murnane, named in this dispatch, is a partner of Lee, Higginson & Co., referred to here, and is also a director of the Bank of Manhattan Co. of New York and several other of the Warburg financial institutions. He has also been recently elected a director of the Marine Midland Bank of Buffalo, which is a part of the Marine Midland Corporation. This is the institution in which the Hon. Edmund Platt, former Vice Governor of the Federal Reserve Board, was recently made a vice president.

I have been pointing out in the past how the Bank for International Settlements was to serve the interests of these international financiers, and in this connection we are advised by the present head of the Bank for International Settlements, Mr. Gates W. McGarrah, former head of the Federal Reserve Bank of New York, under date of February 12, in a speech that he made in Paris on that date before the American Club, that more foreign loans are to be made. We read:

World bank head would reopen the great capital markets to external financing. Favors long-term credits.

In this article appears this most significant statement. I quote:

It is most appropriate that I should mention the subject before the American Club of the city of Paris, because it is upon Paris and upon New York that, owing to the special conditions now prevailing in London, the opportunity and obligation fall to help themselves by helping others through making long-term investments.

In this connection I have been repeatedly pointing out the fact that over 60 per cent of the world's gold is at the present time under the control of Paris and New York. I have been constantly stressing how and to what extent the Federal reserve system was being involved and dominated both in the United States as well as internationally by these two banking groups, J. P. Morgan & Co. and Kuhn, Loeb & Co.

These, with the other things that I have stated, are my reasons for calling this matter to the attention of Congress and to point out the danger that confronts this country by participating in the involvement through these international bankers either by the people of this country or through the investment in these loans, which if they do not now involve our Government will involve our Government in the end. I have been calling the attention of the Congress for some time past to the seriousness of this situation, and I can appreciate that at first to some of you these financial questions and these connections that I have been pointing out and am now making definite and complete are problems complex, but of which every Member of this Congress must now take cognizance and act before it is too late.

I desire again to emphasize some things that I have previously said, so let me begin with the conditions of to-day and our position among the nations of the world and then briefly trace their connection with the treaty of Versailles.

We know what we did not know for a good many years after the war, that our country now stands without comparison in the strength of its institutions and in the magnitude of its power and wealth. The consciousness of this fact has come to us only gradually and we have received it almost with incredulity.

We have been equally slow to realize how greatly the war there lowered the vitality and the political and economic power of the great European states. What students of his-



tory call the balance of power no longer exists, or if it were to manifest itself it would have to be some combination to offset the power of the United States.

Probably already in 1914 the power of the United States was far greater than we or others supposed, but it was latent, because under our institutions and conceptions of the functions of a government we did not direct it toward those aggressive foreign enterprises which then characterized the policies of strong European states. We did not enter greatly into their calculations except that they were quite careful to respect such rights as we claimed.

But great as was our real power in 1914, it is immensely greater to-day; actually, because we possess more than twice the gold stock we then had, which greatly strengthened our banking power, and relatively because of the weakening of the states of Europe.

It would seem, then, that we would be justified in feeling a sense of security and in relaxing the vigilance which patriotic men must feel in times of national insecurity, and that our noblest sentiments would express themselves in gratitude for our good fortune and in a determination that it should not engender in us an unbecoming spirit of vain-glory or national vanity.

But the conditions of to-day do not, in fact, justify such a sense of security. We are not faced by a military menace. We are not at the moment threatened with war. But in the field of diplomacy and international finance forces of a subtle and obscure nature are at work, and with which we must reckon. The victories of the mind and of the wits are sometimes as great as those of the battlefield. Perhaps Sir Charles Addis, the British representative on the Bank for International Settlements, had this in mind when he said recently, "True wisdom lies in the masterful administration of the unseen."

I think the broad statement may be made that the governments of the industrial states of Europe do not reconcile themselves to the great industrial and financial preponderance that has come to America since the war. Stripped of their stored-up wealth by the war, it is impossible for them to reestablish their industrial preponderance in its pre-war vigor. It would take two or three billion dollars more of gold than they have to give them financial resources adequate to the reestablishment of their pre-war power. It would also require a lowering of the industrial power of the United States before they could recapture the world markets which they formerly dominated.

There are evidences that the purposes of international financial activities are now addressing themselves to those general ends. There is a rapidly developing movement toward the control of our Federal reserve banking system by powerful groups of bankers who are equally at home in the United States and in Europe and who regard the vast credit facilities of that system as being available for use abroad as much as for domestic purposes.

You are aware that before the Federal reserve system was adopted in 1913 we had no single central pool of gold stocks and credit. Thousands of banking institutions throughout the country maintained their own gold reserves. Under these circumstances it was not possible for a few officials to grant credits of billions either at home or abroad. But under the Federal reserve system the reserves of all the member banks are in the possession of the Federal Reserve Board at Washington. The vast international credit operations that the prosecution of the war entailed brought the entire liquid wealth of the country under the control of that system and accustomed those who administered it to regard the dispensing of billions in credit at home or abroad as their own prerogative.

When the Federal reserve act was passed it was intended that the Federal reserve system should be a governmental agency and its policies under government control. With the passage of the years, however, it has tended more and more to become an autonomous body reflecting the will of the dominant financial interests, and acting independently of political authority. Claims are insistently made to-day that the Secretary of the Treasury should have no control over it and that the Comptroller of the Currency should

be made an agent of the Federal Reserve Board and not of the United States Treasury. Under this plan the Government would have abrogated its constitutional authority to coin money and regulate its value and surrendered it into private hands.

The usurpation of authority has already gone far. The Federal Reserve Bank of New York, with the permission of the Federal Reserve Board at Washington, has placed billions of dollars of credit at the disposal of New York banks to be loaned abroad by discounting foreign acceptances and permitting foreign loans of all kinds to be made, without the authorization of the United States Treasury.

If the powers which it is now exercising over credit in the United States are permitted, or are to be permitted by statute, then it is within the discretion of the Federal Reserve Board, if it so chooses, to shift the entire monetary wealth of the American people to the uses of the foreigner.

And the developments of recent years give color to the suspicion that it is the purpose of those who now control the Federal reserve system to move a considerable distance in that direction.

The Young plan, drawn up in 1929 and now adopted, created the Bank for International Settlements, located at Basle. It is obviously a central bank for Europe, through which the European states intend to conduct all business which they in common have with powers outside of Europe. It enables them to present a common financial front in dealing with non-European financial centers. It was set up with the active cooperation of the great international financiers of New York, and a former head of the Federal Reserve Bank of New York is now its president.

One of the primary purposes of this bank is to administer the distribution of German reparations as they were created under the treaty of Versailles. How rapidly its purposes have expanded during the course of its short history may be seen by the following dispatch from Basle on February 9 last:

A plan to solve the problem of world gold movements by making transfers on the Bank of International Settlements without physically transferring the metal itself was contained in a resolution adopted to-day at a conference of the international bank directors with governors of national banks of issue.

For some time international financiers have been pondering the tangle of gold reserves. They have been seeking some way in which the flow of the yellow metal can be diverted from such countries as France and the United States, which hold most of the world's supply, and started toward those nations with depleted stocks.

The scheme offered to-day appears to be that gold deposits should be made in the Bank for International Settlements. Then when gold must flow from one nation to the other it can be done merely by a transfer on the books, since the metal already will be in the vaults of the international bank, where both parties have accounts.

As soon as this provision goes into actual operation shipments of gold to the United States will permanently cease, while shipments of gold from the United States to Europe may be freely made.

I think it can hardly be disputed that the statesmen and financiers of Europe are ready to take almost any means to reacquire rapidly the gold stock which Europe lost to America as a result of the war. I think it can hardly be disputed, either, that the control of our gold and our credit power through the Federal reserve system has fallen into the hands of powerful international financiers who are willing to cooperate with the Europeans in this purpose.

It is within the power of the Congress to take this power away from the private financiers and lodge it again in governmental agencies where it belongs, but public opinion must support the Congress if this is to be done. It is the right of the American people to require that the gold stock be protected by the Government and retained for domestic purposes if they so choose. So long as we have a favorable trade balance, which we have and will probably continue to have, the gold can not flow out of the country unless it is shipped abroad as a voluntary gift.

No foreign nation has a right to demand any part of this gold, as is being insistently urged in some quarters. There is no moral duty on the part of the United States to part with it upon foreign request. Yet under the state



of the law to-day, with the Federal reserve system dominated by a nongovernmental power, a steady flow of gold out of the country might take place through the unchecked granting of loans and credits abroad.

Something of this kind is being devised to-day through the instrumentality of the Bank for International Settlements.

The Stresemann policy, having failed to accomplish what it was intended to do, some other means will be taken to accomplish the same end.

The Stresemann policy was devised to bring Germany and the allied governments into harmony in a plan to sell the German war reparation bonds in their billions outside of Europe. Until this was adopted as a common policy, Germany stubbornly refused to have her reparation debt commercialized and thus fixed irrevocably upon her. By the Stresemann policy she was offered a substantial share in the proceeds from the sale of the bonds, and this brought her into agreement with the reparation policy of the allied governments.

Under the Young plan a general European agreement was reached to commercialize these bonds, to the amount of \$3,250,000,000 outside of Europe. The American investment market was the only market capable of absorbing them, and it was here that they were intended to be sold.

The Dawes plan of 1924 had precisely the same purpose, but it could not be put into operation in the United States because at that time Germany stubbornly withheld her consent to the commercialization of the bonds.

The reparation bonds had been created, and Germany had been forced to recognize their existence, by the London ultimatum of 1921 which fixed their total amount at \$33,000,000,000, twelve billions of which were intended to be commercialized upon the international investment market at once. If the twelve billions in bonds could have been disposed of in the United States at that time, it would just about have canceled the allied debts to the United States, and the United States would have become the sole collector of the German war indemnity.

The reparation bonds of the London ultimatum of 1921 were created in pursuance of the financial clauses of the treaty of Versailles which permitted each allied government to sell its right to collect a share in the German indemnity to private purchasers for cash. What was done in the London ultimatum, the Dawes plan, and the Young plan leaves small doubt that it was the intention of the makers of the treaty of Versailles that American investors in these bonds should pay the German indemnity to the allied states in cash, looking to Germany for reimbursements in annual payments over a long period of time. This has not yet been accomplished, but the purpose is still being pursued in the Young plan.

So it is not such a far cry from the international financial questions of to-day to the treaty of Versailles 13 years ago. Indeed, we are faced now with precisely the same situation as existed then. The war has never been liquidated financially in the way that the treaty of Versailles intended, and the same conditions which Lloyd George and Clemenceau presented for American acceptance then are presented for American acceptance to-day.

The Bank for International Settlements is to receive \$500,000,000 a year from Germany in reparation payments and is to place the money to the credit of the allied governments. The allied governments draw upon these sums to pay the annual interest on their debts to the United States. But the United States, according to the news of February 9, which I quoted just now, does not receive the gold. The gold remains to its credit on the books of the Bank for International Settlements at Basle.

Simultaneously with these transactions the Young plan reparation bonds are being offered to the American investor. There are \$3,250,000,000 worth of them, if he chooses to purchase so many, and the gold which he pays for them may, in the discretion of the Federal reserve bank, be shipped continuously across the Atlantic to Europe.

There is one more point I wish to speak about which involves the legality of the treaty of Versailles, and conse-

quently the legal sufficiency of these Young plan reparation bonds. It is of considerable military interest and was not generally known to our soldiers or to others at that time. The Germans signed the armistice agreement after a long series of negotiations between President Wilson and the German chancellor in October. These negotiations ended in a peace agreement which was binding on both sides when the armistice came into effect.

It provided for reparation payments which were less than a fourth of the sum afterwards fixed by the London ultimatum. The German agreement to the larger penalty was extracted from them by the pressure of a food blockade imposed upon them after the armistice and maintained while the peace conference was in session. This was a clear violation of the laws of war and of international law. It was an act of bad faith and is the explanation of the universal suspicion and distrust that animate international relations in Europe to-day.

To ask us to take a stake in the German reparations at this late date, as they are doing when they offer us the Young plan, is an absurdity. It is worse than an absurdity; it is a fraud, and an affront to our intelligence.

There is great need that these broad questions be taken up in the Congress and discussed openly, so that public opinion may arrive at intelligent conclusions upon all the considerations involved. It is not wise for us to leave our international fate in the hands of the international bankers.

The SPEAKER pro tempore (Mr. TILSON). The time of the gentleman from Pennsylvania [Mr. McFADDEN] has expired.

#### CONSTRUCTION AT MILITARY ACADEMY, WEST POINT—CONFERENCE REPORT

Mr. JAMES of Michigan. Mr. Speaker, I call up a conference report on the bill (H. R. 8159) to authorize appropriation for construction at the United States Military Academy, West Point, N. Y.; Fort Lewis, Wash.; Fort Benning, Ga.; and for other purposes.

The Clerk read the conference report.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 8159 having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments to said bill.

W. FRANK JAMES,  
HARRY C. RANSLEY,  
PERCY E. QUIN,

*Managers on the part of the House.*

DAVID A. REED,  
ROSCOE C. PATTERSON,  
DANIEL F. STECK,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8159) to authorize appropriation for construction at the United States Military Academy, West Point, N. Y.; Fort Lewis, Wash.; Fort Benning, Ga., and for other purposes, submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report:

The amendment of the Senate brought into the measure the language of another bill designed to give relief to individuals who had invested money in the hotel building at West Point. As this measure had not received consideration by the House committee or the House, and as the courts have acted in the matter, it was determined to strike out the language of the Senate amendment, and this has been done accordingly.

W. FRANK JAMES,  
HARRY C. RANSLEY,  
PERCY E. QUIN,

*Managers on the part of the House.*



Mr. STAFFORD. Will the gentleman make a brief explanation of what is contained in the conference report?

Mr. JAMES of Michigan. The Senate added an amendment by which the War Department was to go into the hotel business and buy the Hotel Thayer in New York. The House disagreed, and the Senate receded.

Mr. STAFFORD. That is the West Point hotel proposition?

Mr. JAMES of Michigan. Yes.

The conference report was agreed to.

#### SUPPLEMENTARY REPORT

Mr. JAMES of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio, General SPEAKS, have permission to file a supplementary report on the bill (H. R. 12918) to amend the national defense act of June 3, 1916, known as the Speaks National Guard bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### EDWINA R. MUNCHHOF

The Clerk called the first bill on the Private Calendar, H. R. 2281, for the relief of Edwina R. Munchhof.

Mr. STAFFORD. Mr. Speaker, this bill was objected to the last consideration of the Private Calendar and I object to it.

Mr. CRAIL. Will the gentleman withhold his objection?

Mr. STAFFORD. The Members of the House are desirous of making expedition on the Private Calendar. We gave 15 minutes to the consideration of this bill at the last session and then it was objected to.

Mr. CRAIL. Will the gentleman reserve his objection for a minute?

Mr. STAFFORD. Yes; I will yield for one minute.

Mr. CRAIL. This bill has the approval of the Bureau of Veterans' Affairs. It is a lapsed insurance policy and the Veterans' Bureau and the committee and everybody says it was a mistake of the Veterans' Bureau and not a mistake of the veteran. His payments were being taken out of his pay as an active officer of the Army, and should have been applied to the payment of premiums as directed by him. The notices were sent to the wrong address, and he thought the payments were kept up. Theodore Munchhof was killed while flying a Government airplane and while he was in active military service. I think the gentleman should not object.

Mr. STAFFORD. For the reason stated during the consideration of this bill on the last Private Calendar day, I object. I will give further consideration to the bill, because the report is rather vague.

#### CHICO-WESTWOOD-SUSANVILLE AUTO STAGE CO.

The Clerk called the next bill on the Private Calendar, H. R. 558, for the relief of the Chico-Westwood-Susanville Auto Stage Co., Chico, Calif.

Mr. STAFFORD. Mr. Speaker, since this bill was last considered I have gone over it again, and I have the same objection. Therefore I object.

#### MEMORIALS

Mr. SUMMERS of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including certain memorials from the State Legislature of Washington.

Mr. DYER. Reserving the right to object, on what subject are the memorials?

Mr. SUMMERS of Washington. They are on two or three different subjects, some of national importance, but they are actions of the legislatures in all instances.

Mr. DYER. Are they in any way pertaining to legislation by Congress?

Mr. SUMMERS of Washington. Yes; they all are.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SUMMERS of Washington. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following memorials from the Legislature of the State of Washington:

#### Senate Joint Memorial 4

We, your memorialists, the Senate and House of Representatives of the State of Washington in legislative session assembled, most respectfully represent and petition as follows:

Whereas the County of Yakima, State of Washington, expended more than \$1,200,000 in the construction and the maintenance of roads in the Yakima Indian Reservation, for the benefit of the United States, the State of Washington, Yakima County, and the Indians upon said reservation, without the aid of any moneys from the Federal Government.

Now, therefore, the Legislature of the State of Washington respectfully petitions the Congress of the United States to match this sum expended by the County of Yakima, to be used on the Mount Adams Highway within the Yakima Indian Reserve.

And your memorialists will ever pray.

Passed by the senate February 4, 1931.

Passed by the house February 9, 1931.

#### Senate Joint Memorial 2. (By Senator Barnes)

We, your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, most respectfully represent and petition as follows:

Whereas many of the drainage and diking districts of this State which were organized near the close of the World War, or soon thereafter, had their works constructed at an abnormally high cost, and now are called upon to repay their costs out of the present low returns from farm crops; and prices for farm products are so low and their assessment costs so high that the settlers in many such districts are facing financial ruin and are in many cases abandoning their farms to be sold for taxes and assessments; and

Whereas Senate bill No. 4123, known as the Glenn-Smith bill designed to relieve such districts by refinancing them, has already passed the United States Senate and is now pending in the House of Representatives;

Now, therefore, the Legislature of the State of Washington respectfully petition the Congress of the United States to enact said bill into law at its present session. Be it further

Resolved, That this memorial be immediately forwarded to both branches of Congress, and to the Senators and Representatives in Congress from the State of Washington.

And your memorialists will ever pray.

Passed the Senate January 26, 1931.

Passed the House January 30, 1931.

#### House Joint Memorial 2

To the Honorable the Senate and House of Representatives of the United States of America in Congress Assembled:

We, your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, most respectfully represent and petition your honorable body as follows:

Whereas the Quinault Indian Reservation, set aside by the United States Government for the exclusive use and right of the Quinault, Queets, Hoh, and Quillayute Indian Tribes, contains some 169,000 acres of timberland, on which there is 3,000,000,000 feet of merchantable, tax-free timber; that this large area has no roads of any consequence; that fishing is the principal industry of these Indians; that this area is entirely within Grays Harbor and Jefferson Counties; that these counties and the State of Washington are carrying on an extensive road-building program; that these roads are now constructed to Moclips, on the south or southern boundary of the Quinault Indian Reservation, to the Queets River on the north or northern boundary of said reservation; that the four Indian tribes named herein have appealed to Grays Harbor and Jefferson Counties and to the State of Washington for their assistance in the construction of a road from Moclips and joining at that point with the Grays Harbor County Beach Highway to a point on the Queets River, a distance of approximately 25 miles, near the Queets Indian village, and joining State Road No. 9 at that point; that we, your memorialists, feel that these Indians are wards of the United States Government, and as all this proposed road lies within the Quinault Indian Reservation and will materially benefit these Indians, the burden of expense in the construction of such a road should be borne by the United States Government: Therefore be it

Resolved by the Legislature of the State of Washington, That the attention of Congress be called to the urgent need of the early construction of this highway and of its material benefit to the unemployed at this time. Further, that a highway following the Pacific coast shore line will eventually be a link of the coastal or marine drive known as the Roosevelt Highway; be it further

Resolved, That this memorial be immediately forwarded to the State of Washington's Senators and Representatives in Congress and the Commissioner of Indian Affairs at Washington, D. C.

Passed the house January 30, 1931.

EDWIN J. TEMPLETON,  
Speaker of the House.

Passed the senate February 2, 1931.

JOHN A. GELLATLY,  
President of the Senate.



## CON MURPHY

The Clerk called the next bill on the Private Calendar, H. R. 6362, for the relief of Con Murphy.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MCCLINTIC of Oklahoma. Mr. Speaker, reserving the right to object, I have been requested by the gentleman from Mississippi [Mr. COLLINS] to take his place until he arrives. He has a question mark registered against this legislation, evidently being of the opinion that the amount is excessive. I would like to know from some gentleman acquainted with the merits of the bill just what injuries were sustained by this person and if the amount of \$2,000 is justified.

Mr. CARTER of Wyoming. This man has a stiff kneecap and walks with a limp. He was the custodian of the Federal building at Cheyenne. He and another man were about to unroll some carpet and were having trouble with it. The postmaster came along, and seeing their trouble he gave the carpet a kick, which caused this man to fall, and he hit his knee on the flagstone, and he has been limping ever since.

Mr. MCCLINTIC of Oklahoma. Was this man connected with the Government?

Mr. CARTER of Wyoming. Yes; he was the custodian of the Federal building.

Mr. MCCLINTIC of Oklahoma. Is there not some kind of employment liability fund which should take care of matters of this kind?

Mr. CARTER of Wyoming. No. When this accident happened the United States Employees' Commission was not in existence, but they say that had it been in existence this man would have come under the terms of the act.

Mr. UNDERHILL. The accident occurred subsequent to 1916, did it not?

Mr. CARTER of Wyoming. No; it did not.

Mr. UNDERHILL. Then why should we go back and make the act retroactive?

Mr. STAFFORD. It did occur subsequent to 1916.

Mr. UNDERHILL. Then he ought to come under the provisions of the act.

Mr. MCCLINTIC of Oklahoma. Under the instructions I have received, Mr. Speaker, much as I regret to do so, I will have to object.

## LIEUT. DAVID O. BOWMAN

The Clerk called the next bill, S. 8, for the relief of Lieut. David O. Bowman, Medical Corps, United States Navy.

Mr. MCCLINTIC of Oklahoma. Mr. Speaker, reserving the right to object, this bill singles out one medical officer for promotion. I have personal knowledge that there are others who have been denied relief, and unless the bill takes care of others who occupy the same status it ought not to be enacted into law.

Mr. UNDERHILL. Will the gentleman yield?

Mr. MCCLINTIC of Oklahoma. Yes.

Mr. UNDERHILL. There are no other cases similar to this particular case. This man would have had his commission had the President of the United States not been abroad in France at the time. He joined the Army, gave his services during the war, and went through all of the requirements necessary to place himself in proper position; but because of the absence of the President in France the commission was not signed. There was only one other such case, and that was cared for two years ago. Congress passed an act giving relief to the man who was in the same class. There is no other case that is at all similar to this particular case. This is the only way he can get justice.

Mr. HALE. May I say that I sat on the subcommittee considering this bill and I know that the statement made by the gentleman from Massachusetts is absolutely accurate. It would be a gross injustice to make this man suffer for a delay which was not caused by himself. It would be a further gross injustice to deny him this legislation, when legislation of a similar character has already been enacted by Congress, as the gentleman from Massachusetts said,

in the only other similar case. I hope the gentleman will not object.

Mr. SANDERS of Texas. Will the gentleman yield?

Mr. MCCLINTIC of Oklahoma. Yes.

Mr. SANDERS of Texas. I want to call the gentleman's attention to the fact that there is a precedent for this case, and that was the case of Henry C. Weber.

Mr. MCCLINTIC of Oklahoma. Mr. Speaker, on the statement made by the distinguished gentleman from Massachusetts and the distinguished gentleman from Texas that Mr. COLLINS has withdrawn his objection to this bill, I do not care to press the matter further.

There being no objection, the bill was read, as follows:

*Be it enacted, etc.,* That the President be, and he is hereby, authorized to place Lieut. David O. Bowman, Medical Corps, United States Navy, in the position on the list of lieutenant commanders in the Medical Corps of the United States Navy which he would have held had he been commissioned in the said Medical Corps of the United States Navy as of December 10, 1918: *Provided,* That the said Lieutenant Bowman, Medical Corps, shall first establish, in accordance with existing provisions of law, his physical, mental, moral, and professional qualifications to perform the duties of a lieutenant commander in the Medical Corps of the United States Navy: *Provided further,* That no back pay or allowances shall accrue by reason of the passage of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## UNION SHIPPING &amp; TRADING CO. (LTD.)

The Clerk called the next bill, S. 193, for the relief of the Union Shipping & Trading Co. (Ltd.).

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

## RELIEF OF THE CITY OF NEW YORK

The Clerk called the next bill, S. 2219, for the relief of the city of New York.

Mr. SCHAFER of Wisconsin and Mr. GREENWOOD objected.

## FEDERATION BANK &amp; TRUST CO., NEW YORK, N. Y.

The Clerk called the next bill, S. 1256, for the relief of the Federation Bank & Trust Co., New York, N. Y.

Mr. BACHMANN. Mr. Speaker, I object.

## ALICE M. A. DAMM

The Clerk called the next bill, S. 1798, for the relief of Alice M. A. Damm.

Mr. STAFFORD. Mr. Speaker, I object.

## NELLIE FRANCIS

The Clerk called the next bill on the Private Calendar, S. 1945, for the relief of Nellie Francis.

Mr. STAFFORD. Mr. Speaker, I object.

Mr. MAAS. Will the gentleman withhold his objection a moment?

Mr. STAFFORD. This bill is similar to all these bills that have been called and objected to, and in some instances these parties have plenty of money, and it is the policy I am objecting to.

Mr. MAAS. This is not entirely a similar case, and the claimant has not plenty of money. This woman is the widow of a colored minister to Liberia. She is destitute. He went over there as an American citizen and contracted yellow fever by reason of his official service. He gave up his law practice and is a martyr to the American service, and his widow is now left destitute.

Mr. STAFFORD. There are any number of Federal employees that, upon their death, leave their wives destitute, and I am objecting to the principle involved. I object, Mr. Speaker.

## WARREN J. CLEAR

The Clerk called the next bill on the Private Calendar, S. 1979, for the relief of Warren J. Clear.

Mr. GREENWOOD. Mr. Speaker, I object.

Mr. McCORMACK of Massachusetts. Will the gentleman withhold his objection a moment?

Mr. GREENWOOD. Yes.

Mr. McCORMACK of Massachusetts. This is a bill introduced by the junior Senator from Massachusetts [Mr.



WALSH and it has been favorably reported by the War Department.

At the time of the earthquake and fire in Tokyo this man, who was a captain in the United States Army, instead of trying to preserve his property, did what he should have done in trying to save human life and relieve human suffering. I think this is a most deserving case, and I sincerely trust the gentleman will not press his objection.

Mr. GREENWOOD. We have followed a policy of objecting to all these cases of earthquake and fire, where property is destroyed on the theory the party should protect his property by carrying proper insurance, and that the United States Government ought not to be held responsible for such losses by fire where the man has neglected to protect his own property by failing to take out the proper insurance. We have made exceptions in a few cases, where it has been shown that the man who lost his own property lost it because he was saving the property of the United States from fire and could not therefore save his own property, and we have also made an exception in one case of a doctor, I believe, in the Canal Zone, who was engaged in trying to save life and assist those who had been injured.

Mr. McCORMACK of Massachusetts. In this case this captain did what he should have done, and what we should compliment him for doing, in devoting his services to trying to save human life instead of going to where his property was located, and I feel we ought to compliment him for his efforts in trying to minimize human suffering and save human life following this earthquake and fire.

Mr. GREENWOOD. If the gentleman can assure me that the claimant was trying to save human life as a physician, and that the hearings before the committee and the committee report show that this prevented him from saving his own property, I am willing to withhold the objection.

Mr. McCORMACK of Massachusetts. I can assure the gentleman I spoke to Senator WALSH yesterday in order to get the facts.

Mr. GREENWOOD. I want to get the facts from the chairman of the committee.

Mr. IRWIN. If the gentleman will yield, in the report by Secretary of War Hurley, the Secretary, at the bottom of page 2, makes a statement, and I think if the gentleman will read the last paragraph of the statement it will clear up the matter. This man was not at Tokyo at the time, but when he heard of the disaster he rushed there and organized a relief association in order to take care of the sick and wounded, and therefore had no time to give any thought to his own personal effects. This case is a little different from the ones covered by the argument the gentleman advanced a few moments ago. I do think in this particular case there is a great deal of merit, because he was organizing this outfit for the purpose of alleviating suffering and taking care of the wounded.

Mr. GREENWOOD. As the gentleman well knows, the rule has been on the part of those of us who have been objecting that if during the particular fire or earthquake or storm the claimant was prevented from saving his own property because he was saving the property of the United States Government, or was undertaking to save life or relieve human suffering, we have made an exception in such instances. Is that true in this case?

Mr. IRWIN. That applies partly to this case, because this man could have saved some of his own property, but he had no time to do that, because he was busily engaged in organizing what you might call an organization for the purpose of relieving suffering and distress; and I think there is considerable merit in this particular case from that point of view.

Mr. McCLINTIC of Oklahoma. Will the gentleman yield?

Mr. IRWIN. Yes.

Mr. McCLINTIC of Oklahoma. In looking through the hearings I do not see that the House is informed as to what he lost. The statement is not itemized in any way, and we have no knowledge along that line.

Mr. IRWIN. If the gentleman will yield, a board of officers of the War Department went over that carefully and agreed on the value of the property.

Mr. McCLINTIC of Oklahoma. But I want to know if the committee was given any information along that line.

Mr. IRWIN. Only what we got from the board of officers who made the investigation and we were satisfied as to the value of the property destroyed.

Mr. McCLINTIC of Oklahoma. But the committee does not know what the property was or the value of it.

Mr. IRWIN. No; we took the word of the board that went over that matter. We had to take somebody's word for it.

Mr. McCLINTIC of Oklahoma. But does not the gentleman think that in fairness to the House we ought to have some information that would pin them down to the exact amount of what was lost?

Mr. IRWIN. I will say to the gentleman that the committee can not go into the merits of these claims to that extent. When we get a recommendation from a duly authorized board or commission of any department of the Government, we at least take their recommendation in such matters.

Mr. GREENWOOD. If the gentleman will permit, regardless of the amount involved here, I find in the report this language:

That upon hearing of the calamity at Tokyo he immediately proceeded there and rendered assistance as directed in caring for and transporting sufferers to places of safety. That he discovered upon arrival that his permanent quarters in Tokyo had been entirely destroyed and that such of his personal property as he had left behind had also been destroyed by the fire that swept the district following the earthquake.

Mr. McCORMACK of Massachusetts. Yes.

Mr. GREENWOOD. This man, in leaving his property there and going to parts unknown should have carried insurance, and because he found out when he came back that the property had been destroyed by fire, I do not think we should be called upon to reimburse him simply because he went ahead and performed his duty after the calamity had happened.

I do not think this is a case where we should make an exception. I therefore object.

RICHARD RIGGLES

The Clerk read the title of the next bill on the Private Calendar, S. 2166, an act for the relief of Richard Riggles.

Mr. STAFFORD. I object.

WILLIAM HENSLEY

The Clerk read the title of the next bill on the Private Calendar, S. 2467, an act for the relief of William Hensley. Mr. SCHAFER of Wisconsin. I object.

ELIZABETH B. EDDY

The Clerk read the title of the next bill on the Private Calendar, S. 2873, an act to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy.

Mr. STAFFORD. I object.

GEORGE B. SPEARIN

The Clerk read the title of the next bill on the Private Calendar, S. 3039, an act for the relief of the estate of George B. Spearin, deceased.

Mr. STAFFORD. I object.

OREGON AND CALIFORNIA LAND GRANTS—CONVEYANCE OF CERTAIN LANDS TO THE COUNTY OF DOUGLAS, OREG., FOR PARK PURPOSES

The Clerk read the title of the next bill on the Private Calendar, S. 1203, an act authorizing the Secretary of the Interior to convey certain lands to the County of Douglas, Oreg., for park purposes.

The SPEAKER pro tempore. Is there objection?

Mr. McCLINTIC of Oklahoma. Reserving the right to object, I want to say that I was a member of the Public Lands Committee when we recaptured this property for the Government. At that time no member of the committee



ever dreamed that legislation would be passed through the House without Members on the floor knowing what the same contained, and but few Members knew the land was being assessed or taxed for the benefit of the county where it is located. The County of Douglas has taxed or assessed this land to the amount of \$2,292,659.19, under this law. This is the only tract of public land subject to homestead entry, I dare say, that was ever taxed or assessed in the history of the United States for the benefit of individual counties.

This land can not possibly bring to the Government more than \$2.50 per acre, and it is now being taxed, according to the Commissioner of the Land Office, in a sum equal to \$100 per acre. There has been established this precedent by Congress, and I dare say that there were not 12 Members on the floor that knew anything about it.

In addition, each year there is a continuing appropriation that gives to the counties such amounts without the knowledge of any Member of Congress. In other words, it has been hid in such a way as to keep the item from coming to the floor of Congress.

I am advised by the clerk of the Appropriations Committee that this appropriation goes through without our knowledge. Mr. Speaker, I ask unanimous consent to place in the RECORD at this time a letter from the Commissioner of the Public Lands which gives the facts and shows that the Government has been taxed to the extent of more than \$10,000,000. It is a direct discrimination against every county in the United States in favor of counties in Oregon. I feel it is my duty as one of those who had a part in the passing of this legislation to bring this subject to the attention of the House, with the statement that there is nothing personal in what I have to say.

Mr. COCHRAN of Missouri. Did not Congress reserve the right to repeal this legislation?

Mr. McCLINTIC of Oklahoma. This is the fifth time I have brought this matter to the attention of the Congress, and nothing has been done. I do not feel it is right to further give this county this additional sum.

Mr. COCHRAN of Missouri. I think it is the duty of the gentleman to introduce some sort of legislation in regard to the matter.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, at the right time I will introduce proper legislation, but for the present, Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent to insert a letter of the Commissioner of the Public Land Office at this point. Is there objection?

There was no objection.

The letter is as follows:

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
Washington, November 3, 1930.

Hon. J. V. McCLINTIC,  
House of Representatives.

MY DEAR MR. McCLINTIC: Office letter "M" of June 6, answering yours of May 22, gave you certain statistics as to receipts to June 30, 1929, from lands within the Oregon & California Railroad grant and amounts paid in lieu of taxes to that date to certain counties in Oregon and Washington and promised a statement showing distribution of the receipts by counties. A complete and correct detailed statement of receipts from all sources by counties has been slow of compilation, and it is only now that I am able to give you the promised information brought up to date. I am, therefore, inclosing a statement showing amounts received by counties and the source of character to June 30, 1930.

As \$202,197.04 was paid to the counties in lieu of taxes subsequent to the payments formerly reported, and during the period to which receipts are now given, a revised report showing such payments to June 30, 1930, is also inclosed showing a grand total so paid of \$10,115,505.02. In addition to these amounts, partly paid from the "Oregon and California fund" and all eventually chargeable to that fund, there has been paid to the railroad company or for the railroad company from the receipts \$4,102,215.28; but it is impossible to distribute this sum by counties.

A carbon copy of this letter and copies of the two statements are inclosed.

Very respectfully,

D. K. PARROTT,  
Acting Assistant Commissioner.

Statement showing totals by counties of amounts paid to certain counties in Oregon and Washington, either as taxes under the act of June 9, 1916, or in lieu of taxes under the act of July 13, 1926, to June 30, 1930

County	Paid from appropriation made by act of June 9, 1916	Paid from appropriation made by act of July 13, 1926	Paid from O. and O. fund, direct or by transfer	Total
<b>OREGON</b>				
Benton.....	\$73,151.84	\$288,376.76	\$38,127.01	\$399,655.61
Clackamas.....	108,843.67	472,722.59	81,010.13	662,576.39
Columbia.....	42,963.18	144,742.25	15,012.22	202,717.65
Coos.....	150,153.61	549,350.64	135,829.82	835,334.07
Curry.....	6,559.99	28,762.70	8,439.24	43,761.93
Douglas.....	315,399.87	1,664,479.04	312,780.28	2,292,659.19
Jackson.....	242,556.67	1,270,262.77	191,800.08	1,704,619.52
Josephine.....	127,327.75	682,281.64	138,910.44	948,519.83
Klamath.....	33,781.92	121,067.27	23,774.79	183,623.98
Lane.....	277,855.56	1,177,146.34	318,889.25	1,773,891.15
Lincoln.....	7,940.48	36,493.41	9,831.67	54,265.56
Linn.....	43,875.21	224,321.25	47,657.16	315,853.62
Marion.....	28,744.19	130,337.97	21,730.37	180,812.53
Multnomah.....	10,643.48	45,353.73	-----	55,997.21
Polk.....	52,184.61	220,616.40	39,681.08	312,482.09
Tillamook.....	11,051.29	44,470.85	8,846.28	64,368.42
Washington.....	15,859.30	68,799.04	8,998.88	93,657.22
Yamhill.....	16,019.30	58,078.57	11,684.48	85,782.35
<b>WASHINGTON</b>				
Clarke.....	1,132.13	3,764.57	-----	4,896.70
Total.....	1,571,044.05	7,131,427.79	1,413,033.18	10,115,505.02

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I have been advised by a resident of this section that a sufficient amount of money has been obtained from the National Government to pay off practically all of the bonded indebtedness in some counties, and in addition to construct certain public buildings; also that such amounts coming from assessments or taxes on public lands subject to homestead entry have made it possible for these counties to enjoy a certain degree of prosperity. It is unfortunate that such legislation was allowed to slip through Congress without the knowledge of the membership of the House. It is very peculiar that this legislation has been handled in such a way as to not require additional legislative action in the future. If the same had been meritorious and fair, then there could have been no reason for slipping it into an appropriation bill without allowing the individual Members of Congress to know anything about it.

When I first brought this to the attention of the House the amount paid to these counties was a little over \$6,000,000. In approximately two years it has increased to more than \$10,000,000. Any legislation that gives county officials the right to assess public land without being reviewed by officials of the Government is liable to bring about the kind of action that can be looked upon with suspicion, and the only reason I make this statement is the land being subject to homestead entry can not bring more than \$2.50 per acre, and the same is being assessed or taxed as high as \$100 for assessment or taxation purposes by the beneficiaries who seem to be in full charge of this manipulation. Congress should wipe out this unjust discrimination at the earliest date possible.

ROLAND ZOLESKY

The Clerk called the next bill, H. R. 1889, for the relief of Roland Zolesky.

Mr. GREENWOOD. Mr. Speaker, I reserve the right to object. The report on this bill it seems establishes a sort of long-distance liability on the part of the United States Government. The Briggs Loading Co. was in the employ of the United States in testing grenades and it seems further that the grenade which caused the injury was one which had been manufactured or tested by private test of this company.

Mr. SCHAFER of Wisconsin. The evidence indicates that the Briggs Co. had to make tests under the direction of Government inspectors. The Government inspectors provided detonators for the tests. The boy had his hand severely lacerated. He lost three fingers, due to the explosion of one of these grenades, with a detonator that was



picked up on the testing ground. The case went to the Supreme Court of the State of Wisconsin, and the unanimous opinion of that court was that the Briggs Co. was not responsible, but that the agent or inspectors of the Federal Government were.

Mr. GREENWOOD. Did the gentleman note what the Government said about the evidence in that case before the Supreme Court of the State of Wisconsin? The War Department contends that the Briggs Loading Co. made other tests on its own initiative, when no Government inspectors were present, and that it is not shown in the report of the supreme court decision that such fact was permitted to be submitted in evidence. Do the facts show that the particular grenade was prepared under the United States Government or was it under private test by this firm?

Mr. SCHAFER of Wisconsin. From the evidence as I found it, and the decision of the Supreme Court of the State of Wisconsin and the entire presentation of the case to the supreme court, which is contained in a voluminous document about half an inch thick, I can not but reach the conclusion that the supreme court was correct, and that the responsibility for the horrible injury was the result of the negligence of a Government inspector.

Mr. GREENWOOD. If my colleague from Wisconsin is fully satisfied that the liability is on the United States Government instead of the Briggs Contracting Co., I am willing to withhold my objection.

Mr. SCHAFER of Wisconsin. I am absolutely positive.

Mr. DE PRIEST. I object.

R. W. SELVIDGE

The Clerk called the next bill, H. R. 10608, for the relief of R. W. Selvidge.

Mr. McCLINTIC of Oklahoma. I ask that the bill be passed over temporarily.

The SPEAKER pro tempore. That is tantamount to an objection.

Mr. BLANTON. I object.

WILLIE LOUISE JOHNSON

The Clerk called the next bill, H. R. 4101, to extend the benefits of the employees' compensation act of September 7, 1916, to Willie Louise Johnson.

Mr. STAFFORD. I object.

Mr. LANKFORD of Virginia. Will the gentleman reserve his objection for a moment?

Mr. STAFFORD. Yes.

Mr. LANKFORD of Virginia. That bill was up the last time we called the calendar, and the gentleman from West Virginia objected because a supplementary report had not been filed. That report was filed soon afterwards and it is now in the record. Probably the gentleman has not seen it.

Mr. STAFFORD. I say frankly that I have not seen the supplemental report. I base my objection on the report as is. The original report shows that he died from other causes than a slight injury to his face, and that the claim was disapproved. I reexamined this on February 13 and came to the same conclusion.

Mr. LANKFORD of Virginia. I am sure the gentleman has not gone into the case carefully.

Mr. STAFFORD. Then for the time being I shall object.

Mr. LANKFORD of Virginia. Of course, that means final objection.

Mr. STAFFORD. It does not. If I am in error in respect to the matter I shall move to return to the bill.

#### EXEMPTING FROM TAXATION CERTAIN PROPERTY OF SONS OF AMERICAN REVOLUTION

The Clerk called the next bill, H. R. 3048, to exempt from taxation certain property of the National Society Sons of the American Revolution in Washington, D. C.

Mr. LaGUARDIA. What is this doing on the Private Calendar? This is a public matter.

Mr. BACHMANN. I think so.

Mr. LaGUARDIA. I object.

NORTHERN TRUST CO.

The Clerk called the next bill, H. R. 305, for the relief of Northern Trust Co., the trustee in bankruptcy of the

Northwest Farmers Cooperative Dairy & Produce Co., a corporation, bankrupt.

Mr. BLANTON. Mr. Speaker, the Treasury Department is not in favor of this bill and has reported adversely upon it. Based on that adverse report, I object.

JENNIE BRUCE GALLAHAN

The Clerk called the next bill on the Private Calendar, H. R. 2525, for the relief of Jennie Bruce Gallahan.

Mr. SIMMONS and Mr. STAFFORD objected.

J. W. ANDERSON

The Clerk called the next bill on the Private Calendar, H. R. 1518, for the relief of J. W. Anderson.

Mr. UNDERHILL and Mr. SIMMONS objected.

BROOKHILL CORPORATION

The Clerk called the next bill on the Private Calendar, H. R. 7534, for the relief of the Brookhill Corporation.

Mr. STAFFORD. I object.

AMERICAN FALLS REALTY & WATER WORKS CO. (LTD.)

The Clerk called the next bill on the Private Calendar, H. R. 8103, for the relief of the American Falls Realty & Water Works Co. (Ltd.), of Power County, Idaho.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I have no objection if there will be an amendment incorporated at the end of the bill to the following effect: "And provided further, That the said American Falls Realty & Water Works Co. (Ltd.) will save harmless the United States from any and all damages occasioned by such release."

Mr. SMITH of Idaho. Mr. Speaker, I will have no objection to that amendment.

There being no objection the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized and directed to release, without consideration, restrictive covenants contained in the contract, dated May 1, 1925, between the United States of America and the American Falls Realty & Water Works Co. (Ltd.), and recorded May 29, 1925, in the records of Power County, Idaho, by which restrictive covenants the owners of certain land, more particularly described in said contract, are obligated to use same for residence purposes only: *Provided*, That it shall be expressly stated in such release that it is to affect only such interest in said covenants as the United States may hold at the date of the release, and that it is not intended to affect any interest therein which any purchaser or owner of lots in the Government town site at American Falls may have acquired prior to the date of such release.

Mr. STAFFORD. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: At the end of the bill, after the word "release," page 2, line 7, insert a colon and "Provided further, That said American Falls Realty & Water Works Co. (Ltd.) will save harmless the United States from any and all damages occasioned by such release."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

FLORENCE M. HUMPHRIES

The Clerk called the next bill on the Private Calendar, H. R. 9471, for the relief of Florence M. Humphries.

Mr. STAFFORD. I object.

Mr. HARE. Will the gentleman reserve his objection for a moment?

Mr. STAFFORD. I will be glad to.

Mr. HARE. I want to invite attention to this bill and shows its similarity to a bill that was reported last week.

As I understand, the objection to this bill is that the Rev. R. W. Humphries, whose widow is named as the beneficiary in this bill, was not in the regular military service. That is true, but Reverend Humphries was performing all of the duties of a chaplain, as will be shown by the report of Major Shivers. He rendered the services of a chaplain in the discharge of those duties he sustained an injury and a disability that resulted in his death. I feel that by reason of that



disability, by reason of the death that followed, his widow should receive the same compensation as if he had been a regularly appointed chaplain.

To meet the objections raised, let me say that last week, on the last Private Calendar day, we passed a bill providing payment to the mother of a young lady who was a nurse, but who was not in the service, and had never been in the service. The facts disclosed that she had made application for service but was rejected on account of a prior disability, and yet, with 14 days' service as a civilian, compensation was granted to her mother, where dependency was not even established. Now in this case here is the widow of a man who served for several months in France in the capacity of a chaplain. He went upon the field and recovered the dead bodies of soldiers and buried them according to practices followed by regular chaplains and performed all other duties of a chaplain.

Mr. STAFFORD. Will the gentleman yield?

Mr. HARE. I yield.

Mr. STAFFORD. The letter of the Secretary of War shows conclusively that this man was a Y. M. C. A. worker simply, similar to hundreds of others in the same capacity, a civilian in fact, without any obligation on his part to the Government. If we were to recognize him, we should have to recognize hundreds of other civilian employees.

Mr. SCHAFER of Wisconsin. There is no use taking any more time discussing it because I am going to object to this monstrosity if the gentleman does not object.

Mr. STAFFORD. The two gentlemen from Milwaukee are in accord, a rare occasion.

Mr. HARE. I ask the gentleman to reserve his objection for a moment.

Mr. SCHAFER of Wisconsin. I will reserve it for a minute, but I am going to object. I am not in favor of bringing all the Young Men's Christian Association workers under the World War veterans' act.

Mr. HARE. If you are going to establish the policy of paying people who were not in the service as nurses, then I say that consistency would demand you establish the policy of paying for the services of men who actually rendered service to the Government in time of war. The services here were accepted. This man came to his death from injuries received in line of duty. It is a liability on the part of the Government and it should be paid.

Mr. SCHAFER of Wisconsin. One of the best Young Men's Christian Association men in the country was attached to our outfit, and he performed practically the same service as a chaplain. I think it would be presumptuous to try to grant him the benefits of the World War veterans' act.

Mr. LaGUARDIA. We had one and he charged 30 cents for Lucky Strike cigarettes.

Mr. SCHAFER of Wisconsin. I object.

SIMONAS ROZAUSKAS

The Clerk called the next bill on the Private Calendar, H. R. 457, for the relief of Simonas Rozauskas.

Mr. COLLINS. I object.

R. K. STILES & CO.

The Clerk called the next bill, H. R. 7849, for the relief of R. K. Stiles & Co.

Mr. BACHMANN. Mr. Speaker, reserving the right to object, some Members of the House have been asking how far this Private Calendar would go this afternoon. Some Members have bills that possibly will not be reached. I want to say that as far as the committee on this side is concerned it is prepared on all bills up to No. 827 on the calendar.

Mr. EDWARDS. When will we have another chance on the Private Calendar?

Mr. BACHMANN. I can not answer that question.

Mr. EDWARDS. We have a great many bills on the calendar which ought to be reached, and I hope the gentleman will lend his influence in helping us get another call of the calendar.

Mr. BACHMANN. I am willing to go as far as I can, but I will not assume any responsibility further than No. 827.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. O'CONNOR of New York. At the rate this calendar is going, when practically every bill is being objected to, reason or no reason, by some one of about seven gentlemen, some of them self-appointed, the chances are we will finish the calendar by 2 o'clock. In that connection permit me to say, Mr. Speaker, there has been a great deal of talk recently on the floor of this House about a revision of our rules. I am not personally concerned with what happens to bills on this calendar, I do not care whether arbitrary objections are made to mine or not, but as a member of the Rules Committee I am firmly of the belief that there should be at least one salutary change in the rules and that is that it should take more than the objection of one man, be he self-appointed or not, to stop for years the enactment into law of a meritorious piece of legislation. [Applause.] The rule ought to require the objection of at least a dozen men.

The proceedings held in this House under consideration of bills on the Private Calendar, unobjected to, has grown to be a farce.

The bills have been carefully considered by one of the duly constituted standing committees of the House. They are accompanied by full and lengthy reports, almost invariably the unanimous opinion of the members of the committee—often they are accompanied by a strong recommendation of the department of our Government concerned—yet some one Member, not a member of the committee reporting the bill, rises in his place and states that "after having casually glanced at this bill at my hotel last evening, I do not think it should pass; therefore, Mr. Speaker, I object." Why, ladies and gentlemen, it is just such presumption that makes these proceedings ridiculous.

If we are to transact the business of the House in this fashion and go through with this farce, we might as well adjourn right now and cease the consideration of this Private Calendar until some reasonable rule can be passed to meet this situation. [Applause.]

Mr. STAFFORD. Mr. Speaker, under a reservation of objection, I wish to say a word, in view of the verbal assault made by the gentleman from New York.

Mr. BACHMANN. Mr. Speaker, I yield to the gentleman from Wisconsin, as I believe I have the floor.

The SPEAKER pro tempore. The gentleman from West Virginia has the floor.

Mr. STAFFORD. All the bills we are considering to-day and all the bills which have been considered during this session have been bills that have been heard once before. They were heard at the last session, and considerable time was given to their consideration when they were reached. There has been some criticism made about the delay in the reconsideration of these bills. Many Members who have bills further on have had no day here, and they are anxious to have those bills gone over at least once.

Mr. O'CONNOR of New York. Is that why the gentleman is objecting to the early bills, in order to give later bills a chance to be considered?

Mr. STAFFORD. No. I wish to say in defense of my position that every bill I have objected to at the last session and have marked to be objected to now has been gone over by me very thoroughly, as contained in the report. There have been some instances where I have withdrawn my objection and changed my position, because I obtained a different viewpoint. All of these bills have been given due consideration. There are many bills on this calendar which are indefensible, and when we have passed over the consideration of those bills once before considered and get down to the place where we will consider bills that have not had their day there will be many, many bills that will be passed.

The SPEAKER pro tempore. Is there objection?

Mr. BACHMANN. Mr. Speaker, I object.

Mr. GUYER. Will the gentleman withhold his objection?

Mr. BACHMANN. I will withhold my objection in order to permit the gentleman to explain the merits of the bill.



The regular order was demanded.

The SPEAKER pro tempore. The regular order is: Is there objection?

Mr. BACHMANN. Mr. Speaker, I object.

HARRIET C. HOLADAY

The Clerk called the next bill, S. 3231, to compensate Harriet C. Holaday.

Mr. STAFFORD. Mr. Speaker, I object.

CONCRETE STEEL CO.

The Clerk called the next bill, H. R. 8461, for the relief of the Concrete Steel Co.

Mr. BLANTON. Mr. Speaker, there is an adverse report as to this bill, and I object.

Mr. O'CONNOR of New York. Will the gentleman reserve his objection?

Mr. BLANTON. Certainly.

Mr. O'CONNOR of New York. I understand the committee approves the bill and places the fault on the Government; that in this case the Government neglected to do its duty in requiring the general contractor to furnish a bond. If the Government had done its duty then the subcontractor would not have suffered any loss. There is no dispute about the fact that there was a provision of law which required the Government to put in each contract a provision to the effect that the contractor protect the Government against liens, material men, and laborers. The Government failed to do that; this company suffered a loss and has no recourse except by this bill.

Mr. ESLICK. If the gentleman will give me a few minutes I think I can explain this case. This was a contract between the Government and the Caldwell-Marshall Co. to build certain concrete barges. There was a bond required in the face of the contract and also by what is known as the Hurd law.

This company failed. The steel company had furnished nearly \$16,000 worth of steel. They applied to the Government agents to take care of them. In the face of that statement the Government made a settlement with the Caldwell-Marshall Co., over the protest of the steel company that had furnished this material, and when the steel company filed or threatened to file a bill for a receivership, the Government announced that it would ignore it entirely and would not pay anything to anyone.

A settlement was perfected for \$30,000 with the insolvent Caldwell-Marshall Co., and in the face of that settlement the steel company received \$5,700; otherwise, it would have received absolutely nothing. The balance of this fund was turned over to this insolvent company when the Government knew that it was owing these people more than \$10,000 in addition to what it had paid.

Mr. STAFFORD. Will the gentleman yield?

Mr. ESLICK. Yes.

Mr. STAFFORD. As I read the letter addressed by the director general, James C. Davis, to Mr. DEMPSEY, back in 1922, the facts are that there was an adjustment made of the differences existing between the original contractor and the subcontractor, and the attorney of this subcontractor, who is the existing claimant, agreed to receive the amount of money in payment, and he cashed the check and the settlement was made. A binding settlement was entered into, an adjustment was had, and now, after they have cashed the check, they wish to come into court again and say, "I am not going to be bound by the settlement and by the check I cashed under a stipulated agreement."

Mr. BLANTON. Mr. Speaker, having reserved the right to object, but I have such confidence in the gentleman's judgment that I hate to be antagonistic to it. However, I want to call his attention to what the department said about it:

On July 13, 1918, the Caldwell-Marshall Co. executed a contract with G. A. Tomlinson, general manager of the New York Canal section of the Railroad Administration, for the construction of four reinforced concrete barges. The Caldwell-Marshall Co. failed to carry out the provisions of this contract, and the construction work was completed by the United States. Subsequently, the

Caldwell-Marshall Co. submitted a claim to the Railroad Administration in the sum of \$66,601.25; and after due investigation, the Railroad Administration concluded that under the peculiar circumstances presented, it would be proper for the Government to make a settlement; and in March, 1921, a settlement was made with that company in the sum of \$30,000.

Mr. STAFFORD. And which they received.

Mr. O'CONNOR of New York. Not this claimant.

Mr. STAFFORD. Yes; this claimant.

Mr. BLANTON. Now, I would like to ask the gentleman whether the Congress is going to go behind a department of the United States Government that gives consideration to a claim and makes an adjustment and pays \$30,000 and allow them to come in and claim more. I would like the gentleman to answer that question.

Mr. ESLICK. In answer to the gentleman, here are the facts. The Government knew this corporation was insolvent. They made this settlement of \$30,000 and at the time they made the settlement they knew the steel company had not been paid and that there was more than \$15,000 due the company. When the settlement was made over their protest or when they threatened to file a receivership suit, the Government said it would ignore them entirely and make no payments. When they did make this settlement they said to the attorney, "It is take this or nothing." The check was not made by the Government to the steel company but was made as a separate check to the Caldwell-Marshall Co. and by them indorsed. There was absolutely no lien as against the Government; there was no accord and satisfaction as against the Government, as the gentleman understands.

Mr. BLANTON. Will the gentleman yield for one question?

Mr. ESLICK. Yes.

Mr. BLANTON. As a subcontractor, was it not their duty to see to it that the bond of their contractor, under whom they were working, was a good and sufficient bond to protect their own interests?

Mr. ESLICK. They were the contractors and it was the duty of the Government, under the law, to require this bond for the protection of material men.

Mr. BACHMANN. If the gentleman will yield, was it not also the duty of this company to determine whether or not that bond was given and whether or not it was sufficient?

Mr. ESLICK. It was given, as a matter of fact, but when the settlement was made there were no liens existing in favor of the furnishers against the Government.

Mr. STAFFORD. Will the gentleman yield?

Mr. ESLICK. Yes.

Mr. STAFFORD. The difficulty I have with this case is that the attorney who is representing the claimant in this bill was also the attorney representing this same claimant at the time of the adjustment, and he was present at the time of the settlement and participated in the negotiations.

Mr. ESLICK. Yes.

Mr. STAFFORD. And he never raised his voice in protest against the terms of the settlement.

Mr. ESLICK. That is not what the record shows.

Mr. STAFFORD. That is what the director general states in a communication to Congressman DEMPSEY dated May 12, 1922. The check was made out specially for the payment of the subcontractors, and no dissent was made by Mr. Hendry at that time whatsoever. Now, after the settlement is made, they revive this claim and wish to say that they are not to be bound by the settlement and want to have the full amount.

Mr. ESLICK. I want to say that I was on the subcommittee and went into this matter in detail. I do not know a human being connected with it.

Mr. BLANTON. In view of that statement, Mr. Speaker, I am not going to object.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

Mr. GUYER. Mr. Speaker, I ask unanimous consent to return to Calendar No. 698 to offer an amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

Mr. COLLINS. I object.



AMENDING THE ACT FOR THE RELIEF OF CONTRACTORS AND  
SUBCONTRACTORS

The Clerk read the title of the next bill on the Private Calendar, H. R. 11850, a bill to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes."

Mr. SCHAFER of Wisconsin. I object.

ADA T. FINLEY

The Clerk read the title to the next bill on the Private Calendar, H. R. 675, a bill for the relief of Ada T. Finley.

Mr. BACHMANN. I object.

Mr. TARVER. Will the gentleman withhold his objection?

Mr. BACHMANN. I will.

Mr. TARVER. I want to ask the gentlemen who are discharging the duty of objectors on the other side if they have any special policy in regard to bills of this character? In explanation of that I desire to call attention to a bill (H. R. 4176) which was passed without objection at the last session of Congress for the relief of Dr. Charles W. Reed, which proposed to extend to Doctor Reed the benefit of the employees' compensation act of 1916 over the findings of the Employees' Compensation Commission that he was not entitled under the law to prosecute such a claim. In that case the disability was discovered two years after the expiration of the service. In the instant case it is shown that the disability of the claimant arose during the service.

It is apparent on an examination of the report that this case is more deserving than the case of Doctor Reed. I would like to know if you have any settled policy in these cases by which you apply the same rule to all of them. If you do I have nothing more to say. But if you discriminate by permitting the passage of a bill of the character of the one to which I have referred, a case less deserving than this instant case, and if you nevertheless urge objection at this time to more deserving claims such as this, I may feel it my duty to object to all bills that interfere with the performance of its duties by the Employees' Compensation Commission by affording relief in cases denied by the commission. I do not think it is fair to make fish of one and fowl of another. I ask the gentleman to state upon what grounds he can make the discrimination.

Mr. BACHMANN. That is a fair question. I want to inform the gentleman that I do not pass on all of the bills on this side. I only have one-half of them. I am not following any policy, but let every bill stand on its own merits. I am willing to discuss the facts in this Finley bill if the gentleman wants to direct attention to the facts in this case. I did not have the Doctor Reed bill that the gentleman refers to—possibly my colleague had it—and, therefore, I know nothing about it.

Mr. TARVER. I am sure the gentleman would not be in favor of discrimination. All I ask is that the facts and circumstances be considered that warrant the passage of this legislation.

Mr. BACHMANN. I might say that we discussed this bill the last time it was up on the floor and the merits of this claim. I want to say to the gentleman that I objected to it because I could not see that there was any responsibility on the Government to pay this claim. The claimant was a nurse; she went into the service with this disability, and afterwards left the service, and now she wants the Government to reimburse her for what the Government is not responsible for. Her own condition was aggravated over a period of years. The Government was a benefactor to her in keeping her in its employ during the time that she had this disability. That is the reason that I objected before.

Mr. TARVER. Mr. Speaker, I felt quite sure that the gentleman had an incorrect conception of the facts, and his statement has demonstrated that that is true. I call attention to the fact that she did not have any disability of the heart at the time of her induction into the service, but that while an abnormal condition of the heart existed it was not such as to in any way prevent her discharging the duties

of the position to which she was appointed, and which she did discharge for approximately five years. I further call attention to the affidavit of the official of the Government under whom she performed her duties at the time of her breakdown, Dr. J. D. L. McSheeters, set out on pages 4 and 5 of the report—

Mr. KORELL. Mr. Speaker, I demand the regular order. The SPEAKER pro tempore. The regular order is demanded. Is there objection?

Mr. BACHMANN. I object.

R. K. STILES & CO.

Mr. GUYER. Mr. Speaker, I ask unanimous consent to return to Calendar No. 698, H. R. 7849, for the relief of R. K. Stiles & Co.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent to return to Calendar No. 698.

Mr. TARVER. Mr. Speaker, reserving the right to object, if I am not—

The SPEAKER pro tempore. Is there objection?

Mr. TARVER. I object.

ANNIE M. EOPOLUCCI

The Clerk called the next bill, H. R. 9946, for the relief of Annie M. Eopolucci.

Mr. TARVER. Mr. Speaker, I reserve the right to object. Mr. STAFFORD. I object.

GEORGE D. JOHNSON

The Clerk called the next bill, H. R. 2336, for the relief of George D. Johnson.

Mr. COLLINS. I object.

Mr. HALE. Mr. Speaker, will the gentleman reserve his objection?

Mr. TARVER. Mr. Speaker, I demand the regular order.

Mr. O'CONNOR of New York. Mr. Speaker, I make the point of order that there is no quorum present, unless the chairman wants to move to adjourn. This farce has continued long enough. Let us adjourn and have a rule to consider these bills. I move that the House do now adjourn.

The SPEAKER pro tempore. The gentleman from New York moves that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. O'CONNOR of New York) there were—ayes 10, noes 126. So the motion to adjourn was rejected.

CALL OF THE HOUSE

Mr. O'CONNOR of New York. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and forty-eight Members present—not a quorum.

Mr. LAGUARDIA. Mr. Speaker, I move a call of the House.

The motion was agreed to.

Mr. BLANTON. Mr. Speaker, I make the point of order that this is an automatic call on the motion to adjourn.

The SPEAKER pro tempore. The gentleman is not in order. It does not require a quorum to adjourn. The Clerk will call the roll. The Doorkeeper will close the doors and the Sergeant at Arms will bring in absentees.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 30]

Almon	Clark, Md.	Fish	Kendall, Pa.
Andrew	Clark, N. C.	Fitzpatrick	Kennedy
Arentz	Connery	Gavagan	Kiefner
Auf der Heide	Cooke	Goldsborough	Kopp
Beck	Cooper, Wis.	Graham	Kunz
Beedy	Corning	Granfield	Langley
Bell	Craddock	Hoffman	Lanham
Blackburn	Crisp	Holaday	Larsen
Boylan	Cullen	Houston	Lea, Calif.
Britten	Davis	Hudson	Leavitt
Browning	Dickstein	Hudspeth	Lindsay
Brunner	Douglass, Mass.	Hull, Wis.	McCormick, Ill.
Butler	Doutrich	Igoe	McDuffie
Canfield	Doyle	James, N. C.	McLeod
Carley	Drewry	Johnson, Ill.	Menges
Celler	Eaton, N. J.	Johnson, S. Dak.	Michaelson
Chase	Erk	Kemp	Mooney
Chipherfield	Fenn	Kendall, Ky.	Newhall



O'Connor, La.  
Oliver, N. Y.  
Parker  
Patman  
Pou  
Prall  
Pratt, Ruth  
Ransley

Rowbottom  
Sears  
Shaffer, Va.  
Short  
Shreve  
Sirovich  
Somers, N. Y.  
Spearing

Stevenson  
Stobbs  
Sullivan, N. Y.  
Sullivan, Pa.  
Taylor, Colo.  
Taylor, Tenn.  
Thompson  
Turpin

Underwood  
Vinson, Ga.  
Watson  
White  
Williamson  
Yates  
Zihlman

The SPEAKER pro tempore. Three hundred and twenty-eight Members have answered their names; a quorum. On motion of Mr. IRWIN, further proceedings under the call were dispensed with.

The doors were opened.

ANNIE M. EOPOLUCCI

Mr. STRONG of Kansas. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 9946) for the relief of Annie M. Eopolucci, being Calendar No. 719.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

Mr. SABATH. Reserving the right to object, what is this bill?

The SPEAKER pro tempore (Mr. MAPES). The Clerk will report the bill by title.

The Clerk read the title of the bill.

Mr. STAFFORD. Reserving the right to object, I objected to this bill under a misapprehension when it was under consideration before. Under reservation of objection, I wish to state that when I considered the bill I was under the impression that the benefits of the World War insurance were not effective until its passage in September following our entrance into the war in April. I am now informed that the law is retroactive to cover the deaths since our entry into the war.

Mr. TARVER and Mr. PARKS demanded the regular order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Director of the United States Veterans' Bureau is authorized and directed to pay to Annie M. Eopolucci, mother of John E. Eopolucci, all such installments of money which she would be entitled to receive if the said John E. Eopolucci, who, while serving as a member of the armed guard of the United States Navy on the steamship *Aztec*, lost his life when said steamship was torpedoed and sunk on April 1, 1917, this while in the active naval service of the United States, had made a valid application for war-risk insurance in the sum of \$5,000 under the war risk insurance act, as amended, had named the said Annie M. Eopolucci as his beneficiary and had died while such insurance was in effect, and, further, that it shall be held that such insurance shall be held to have matured as of the date of death and shall be paid retroactively such installments as may be due on the date of the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

JAMES GOLDEN

The Clerk called the next bill on the Private Calendar, H. R. 11160, for the relief of James Golden.

Mr. COLLINS. I object.

ROBERT BENNETT

The Clerk called the next bill on the Private Calendar, H. R. 6817, for the relief of Robert Bennett.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged sailors, Robert Bennett, formerly of the United States Navy, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as a member of the United States Navy on the 9th day of June, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CHARLES L. CHAFFEE

The Clerk called the next bill on the Private Calendar, H. R. 7322, for the relief of Charles L. Chaffee.

Mr. COLLINS. I object.

WALLACE E. ORDWAY

The Clerk called the next bill on the Private Calendar, H. R. 3727, for the relief of Wallace E. Ordway.

Mr. STAFFORD. I object.

EXPLOSION AT NAVAL AMMUNITION DEPOT, LAKE DENMARK, N. J.

The Clerk called the next bill on the Private Calendar, H. R. 11015, to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926.

Mr. LA GUARDIA. Reserving the right to object, does this include the insurance companies?

Mr. ACKERMAN. This excludes the insurance companies.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the sum of \$33,346.56 is appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Comptroller General of the United States to make payment of claims for property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926, to the respective persons and in the respective amounts as recommended by the Comptroller General of the United States and as fully set forth in House Document No. 321, Seventy-first Congress, second session, pursuant to the act of March 2, 1927 (44 Stat. pt. 3, p. 1800).

Mr. REED of New York. Mr. Speaker, I offer an amendment, which I have sent to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. REED of New York: On page 2, in line 4, insert a new section, to be known as section 2, to read as follows:

"SEC. 2. That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 each to the following relatives, in the following order of preference, of any officer or enlisted man of the United States military and naval forces who was killed in the explosions at the naval ammunition depot at Lake Denmark, N. J., on July 10, 1926:

"To the widow; if no widow, then to the children, share and share alike; if no widow or children, then to the mother; if no widow, children, or mother, then to the father; or if no widow, children, mother, or father, then to the brothers and sisters, share and share alike."

Mr. LA GUARDIA. I reserve a point of order, Mr. Speaker. It seems to me that on this calendar the gentleman is rather taking the House by surprise. I do not know anything about the merits of the gentleman's proposition, and I do not suppose anybody else does; but to protect this calendar, I do not think any such amendment ought to be permitted. I say that only in the interest of good legislation. I am not criticizing the merits of the gentleman's proposition. I shall be compelled to reserve a point of order.

Mr. REED of New York. Mr. Speaker, I would like to explain this matter.

This was one of the worst and most tragic explosions that has occurred in the United States. Throughout the years it has been the policy of the United States Government to put in flaring and flaming headlines "Join the marines and see the world."

The result is that every farmer boy who goes to town reads those wonderful ads and sees the pictures of palm trees and beautiful girls, and he decides he is going to join the marines and see the world.

Quite a number of young men, including a fine young chap from my district—with a father and mother and little crippled sister—joined the marines to see the world. This boy was stationed at Lake Denmark. The explosion came. During that explosion he was killed in action, just as much as any soldier on the field of battle. He was cited by General LeJeune, and great recognition for heroism and bravery was expressed by the officials of the Government to this young man's parents.

These people are fine outstanding citizens. They are dependent. Maybe they are not so within the strict letter of the law, but I maintain if we can afford to pay for the material things of life, if we can afford to pay for property, we can afford to pay the dependents who sent their boys into a place of danger like this.

In addition to that, this boy wrote home at one time, maybe in violation of the rules, but he said, "As conditions



exist here it is only a question of time when there will be an explosion, and there will be great loss of life."

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. REED of New York. I yield.

Mr. SCHAFER of Wisconsin. Is there any difference in the loss of life in this case of an enlisted man than if a battleship should blow up to-day or if men were killed in Nicaragua? Does the gentleman mean to say we should take a few of the enlisted personnel and single them out for special legislation as against many others killed in line of duty?

Mr. REED of New York. I want to say to the gentleman that just as long as we follow this practice of putting regular officers in dangerous stations and encouraging young boys under age to leave their homes without the consent of their parents their dependents should be compensated for negligence on the part of the Government that costs the lives of such boys.

Mr. SCHAFER of Wisconsin. Would the gentleman advocate the offering of a substitute amendment to provide the same appropriation for the dependents of each member of the Naval and Military Establishments who were killed in line of duty?

Mr. REED of New York. I shall not object to any amendment which the gentleman wants to offer. This is my amendment; it is based upon the merits of the case and the gentleman knows it. As long as we pay for property we ought to pay for human life under these circumstances.

Mr. RAGON. Will the gentleman yield?

Mr. REED of New York. Yes.

Mr. RAGON. I would like to call attention to the particular line of work these men were engaged in. This was at an arsenal and this was their regular station. The gentleman from New York has cited a pathetic case and I can give an even more pathetic case growing out of that explosion. There was killed Captain Clark. Captain Clark had a mother who had been called there to take care of his two very small children. In this explosion that old lady was knocked unconscious; she was confined to her bed for several days, and General LeJeune is one of the chief witnesses as to how she was suffering. She had been called there to take charge of these children, due to the fact that their mother at that time was confined in a hospital in New York State with tuberculosis. Since that time the mother has died and this lady to-day, as the result of that explosion, so the doctors say, is a helpless cripple, and at the age of 70 or 75 years—I forget the exact number of years—she is confined to her bed. This is a pitiful condition. These men were stationed at this arsenal at that time and the arsenal, according to the statement of Captain Clark, was not in a good condition.

Mr. MANLOVE. As the second ranking member of the Pensions Committee I will say that I will support a special pension bill in behalf of that old lady.

Mr. KNUTSON. But the gentleman could not get such legislation passed until next year.

Mr. MANLOVE. That is true, but if no other legislation is passed to fit that situation I will be glad to support a pension bill in her behalf.

Mr. ANDRESEN. I will say to the Members of the House that there were 13 or 14 men killed in this accident. They were in no way responsible for the accident and they never had a chance. The accident occurred on account of the negligence of the Government, and the men who left dependents should be entitled to receive consideration. This is the only way we will ever get consideration for them under the present system of considering the Private Calendar. I think we are absolutely in order in having this amendment considered at this time.

Mr. SCHAFER of Wisconsin. I will say to the gentleman that if the proposed amendment had been submitted to the House before the objection stage had passed the pending bill would not now be before the House for consideration.

Mr. ANDRESEN. I will say that this amendment is being offered in the regular way under the rules of the House, so we have no apology to make.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I rise in opposition to the amendment.

Mr. LaGUARDIA. Mr. Speaker, I have made a point of order against the amendment.

The SPEAKER pro tempore. Does the gentleman from New York desire to be heard?

Mr. LaGUARDIA. No; for the sake of economy in time, but I press the point of order. I am quite in sympathy with the proposition, but it seems to me that under the rules the amendment offered by the gentleman from New York is not germane to the bill which it seeks to amend. The bill, as I read it hurriedly, provides for the submission of certain claims to the comptroller for the purpose of fixing damages.

Mr. ACKERMAN. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. ACKERMAN. The comptroller has already certified these claims at the request of the Navy Department.

Mr. REED of New York. You are allowing all of these bills which provide for the payment of compensation for the loss of human life to be torn to pieces and allowing every bill that is for the payment of property and contractors.

Mr. LaGUARDIA. I make the point of order, Mr. Chairman.

The SPEAKER pro tempore (Mr. MAPES). The Chair is ready to rule.

The bill as introduced includes claims for property damage, death, or personal injury. It is not confined to damage to property, but includes damages either by death or injury to individuals. House Document 321, to which reference is made in the bill and which identifies the various claims which the bill proposes to satisfy, has embodied in it claims of both those in the military service and civilians. The amendment offered by the gentleman from New York [Mr. REED] proposes to pay the sum of \$5,000 to certain relatives of any officer or enlisted man of the Military or Naval Establishment who was killed in the explosion at Lake Denmark. The Chair thinks the amendment is germane, and overrules the point of order.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker and Members of the House, I regret that I must oppose this amendment. It is rather difficult to oppose an amendment providing payment out of the Federal Treasury to the next of kin of members of the Regular Army Establishment who were killed in line of duty, but I am opposed to this amendment as a matter of principle, and I sincerely believe that the Members of this House who have been interested in the Private Calendar will also vote down this amendment on the ground of principle.

Oh, the proponent of the amendment served no notice on the House until after the objection stage had passed.

Mr. ABERNETHY. Will the gentleman yield?

Mr. SCHAFER of Wisconsin. In a moment.

He served no notice before the Claims Committee, which considered the bill which was reported out by that committee.

It is admitted that these members of the regular establishment lost their lives in line of duty, but, my friends, under the general pension law this Government makes provision for payment of pension to those who are injured or suffered disease in line of duty in the regular establishment in time of peace, and provision for their dependents if the soldiers die of disease or disability contracted in line of duty.

If we adopt the pending amendment, we single out a few cases for additional benefits and discriminate against the many.

Mr. ABERNETHY. Will the gentleman yield?

Mr. SCHAFER of Wisconsin. I yield.

Mr. ABERNETHY. The gentleman does not serve any notice on us when he is going to object to a bill. Why should we serve notice on the gentleman when we are going to introduce an amendment?



Mr. SCHAFFER of Wisconsin. I will inform the gentleman that that interruption is ridiculous and far from the question under consideration.

Mr. RAGON. Will the gentleman yield to me?

Mr. SCHAFFER of Wisconsin. Yes.

Mr. RAGON. I do not want one statement the gentleman makes to go by without at least some correction. The gentleman from New York, Mr. REED, and I think the gentleman from New Jersey, Mr. ACKERMAN, and the gentleman from Minnesota, Mr. ANDRESEN, and myself appeared before the subcommittee that is presided over by Mr. JOHNSON of Nebraska, and this amendment, as I recall, was hatched in that committee, and it was thoroughly understood by everyone of us; and if I should be mistaken in this, some of the gentlemen who were present can correct me, but we did not feel, and the gentleman from Nebraska, Mr. JOHNSON, did not feel, that we ought to pay for the property destroyed there and not pay for the human lives that were lost and the suffering that resulted there.

Mr. SCHAFFER of Wisconsin. It is my recollection that the Claims Committee—

Mr. RAGON. Of course, I can not say what happened in the Claims Committee.

Mr. SCHAFFER of Wisconsin. It is my recollection that the matter embodied in the gentleman's amendment was not brought to the attention of or discussed by the entire Claims Committee at the time the bill was favorably reported.

Mr. RAGON. I would like to say to my friend that we were directed to appear, and we all did appear. I do not think that either of us understood that the others were going to appear; I know I did not know it; but we appeared before the gentleman from Nebraska [Mr. JOHNSON] and argued the matter out in full. I had a particular claim which the gentleman from Nebraska [Mr. JOHNSON] turned down in part, and then we agreed to incorporate this in an amendment, and I did not know but what the amendment was incorporated in the bill as it came from the committee.

Mr. BOX. Will the gentleman yield?

Mr. SCHAFFER of Wisconsin. I yield to the gentleman from Texas.

Mr. BOX. Am I correct in understanding that the proposed amendment provides compensation to people of the Regular Army Establishment through an appropriation made by the Claims Committee?

Mr. SCHAFFER of Wisconsin. Absolutely; and the Claims Committee has adopted a policy under which it has rejected dozens of similar bills on the ground that if the relief should come, it ought to come by general legislation through the Pension Committee of the House.

Mr. BOX. If the House, through the Claims Committee, goes into the work of compensating ex-service men and their dependents, will not the work of the Claims Committee duplicate the work of the Pension Committee?

Mr. SCHAFFER of Wisconsin. Certainly, and that is why the Claims Committee, by unanimous vote, refused to consider identical bills and suggested to the authors of the bills that they present their cases to the Committee on Pensions.

Mr. CULKIN. Will the gentleman yield?

Mr. SCHAFFER of Wisconsin. Yes.

Mr. CULKIN. Does the gentleman know that the Navy issues a handbook to enlisted men in which it is stated that in the event of their death by reason of service during time of peace it will take care of their dependents? Does the gentleman know that?

Mr. SCHAFFER of Wisconsin. I do not know about that, but if the book does so indicate, it may not contain incorrect information, because a dependent of an enlisted man who is killed or who dies of disease or disability contracted in line of duty comes under the general pension law benefits. At this point I may state that Congress is negligent in not liberalizing the general pension law. My friends, if a marine, with five children, is killed in Nicaragua to-day in line of duty or dies of disease or disability contracted in line of

duty, leaving a dependent widow and five small children, what benefits will they receive? They will receive under the magnificent general pension law which Congress has not liberalized for many years, \$12 for the widow, and \$2 for each minor child.

I call to the attention of Members of this House who are sympathetic with this amendment which places pension legislation in a Claims Committee bill the existing meager general pension law benefits and ask that they urge the Committee on Pensions to favorably report a liberalizing bill in the near future.

Mr. MANLOVE. I want to say that I am in hearty accord with the gentleman when he says that.

Mr. GASQUE. Will the gentleman yield?

Mr. SCHAFFER of Wisconsin. Yes.

Mr. GASQUE. Is the gentleman aware of the fact that the Senate has passed the bill liberalizing general law pensions, and the House committee has reported it out?

Mr. SCHAFFER of Wisconsin. Oh, yes; the bill the House committee reported out is simply a gesture. It is ridiculous to call it a liberalization bill. The House committee cut the heart out of the Senate bill.

Mr. MANLOVE. Does the gentleman call it ridiculous to raise the pensions from \$20 a month to \$30 a month?

Mr. SCHAFFER of Wisconsin. Yes; it was ridiculous to delete the Senate bill as the Committee on Pensions did.

Mr. GASQUE. Is the gentleman aware of the fact that the bill reported out has a minority report which does favor a liberalization bill?

Mr. SCHAFFER of Wisconsin. The gentleman from South Carolina is a good legislator—I know, for I have served on another committee with him, and I congratulate him for submitting the minority report. Gentlemen, if you adopt this amendment which is now pending, you are going to send out word through the country that you are granting special benefits to the dependents of 10 or 11 members of the regular establishment killed in line of duty, and thereby discriminate against the dependents of hundreds and thousands of members of the regular establishment who have been killed in the past and may be killed to-day or to-morrow. I ask you to pause before you consider taking this step. I ask you to pause before you adopt this drastic amendment changing the policy of this Government with reference to pension legislation. I ask you to pause in view of the fact that the bill passed the objection stage before the House was advised that this amendment was going to be offered.

I know that the Members of Congress are sympathetic with the unfortunate. I hate to oppose the bill, but I must oppose it on the ground of principle in order to protect the nondiscriminatory policy of the Government with reference to the relief of dependents of those of the regular establishment killed in line of duty, and I oppose it to protect the integrity of the Claims Committee and the gentleman's agreement with respect to the Private Calendar. I urge that you vote down this amendment.

Mr. STAFFORD. Mr. Speaker, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment by Mr. STAFFORD to the amendment offered by Mr. REED of New York: Strike out the last clause of the Reed amendment, as follows: "Or if no widow, children, mother, or father, then to the brothers or sisters share and share alike."

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the amendment may be read now as it will be as proposed to be amended.

The SPEAKER pro tempore. Without objection, the Clerk will report the amendment as proposed to be amended.

There was no objection, and the Clerk read as follows:

At the end of the bill insert a new section, as follows:

"Sec. 2. That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 each to the following relatives in the following order of preference of any officer or enlisted man of the United States military and naval forces who were killed in the explosion at the naval ammunition depot, Lake Denmark, N. J.,



on July 10, 1926: To the widow; if no widow, then to the children share and share alike; if no widow or children, then to the mother; if no widow, children, or mother, then to the father."

Mr. REED of New York. Mr. Speaker, I accept the amendment offered by the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Speaker, I wish to address myself to the main proposition. Certainly no one can defend voting such a sum of money as is proposed here to the brothers and sisters, and we might also say the cousins and the aunts. It just shows how haphazardly the amendment has been prepared. The author of the amendment agrees to the proposal that I have suggested. What are we going to do? First, this amendment should be rejected for the reason that it is violative of the understanding generally recognized in the House that when a bill is considered under a unanimous-consent agreement if any amendments of a substantial character are to be offered, notice is given of them in advance. What will be necessary now, if this practice is to be discontinued? It will require every Member who is watching this Private Calendar to rise and say that he has no objection to the consideration of the bill if it goes through as is. The practice I refer to has been the unwritten practice of this House for a number of years. Gentlemen are taking advantage of the established practice by offering this amendment. Let us consider what the amendment does. It commits the Government here and now to the expenditure of over a billion dollars. It provides that the widow, and failing a widow then the father and mother, of an officer or enlisted man who was killed at this explosion is entitled to \$5,000. Then how can you fail to justify voting \$5,000 to every father and mother of any enlisted man who was killed in line of duty? [Applause.] I can much more justify paying \$5,000 to the widow or father or mother or children of everyone who was killed in line of duty in the World War abroad. I can more easily justify paying \$5,000 to the surviving relatives of anyone who was killed in the Spanish-American War or in the Civil War. Gentlemen can see when they vote for this amendment what it is leading to. No committee has considered it. No Committee on Pensions has considered voting \$5,000 to the widow or the father or mother of every person killed in action. If they have, why have not they presented the legislation? There is nothing on the calendar which goes to show such liberalizing of pensions. This is a pension proposal, pure and simple, under the guise of the payment of a gratuity to some person who perhaps does not even need it.

Mr. YON. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. YON. As a member of the Pensions Committee, I say this: The only reason that there is no more liberal pension legislation on the statute books of this Nation to-day is because of the objection and the pressure brought to bear from the administrative sources relating to pensions.

Mr. STAFFORD. Why, never before has this House been so generous in its pension policy. Every private pension bill that conforms to the rules of the respective pensions committees, the Committee on Pensions, and the Committee on Invalid Pensions, goes through here as a matter of course under the policy which has been adopted, and even Senate amendments are not referred to conference but are accepted as a matter of course. Here we are committing ourselves to a policy of paying \$5,000 to the surviving relatives of every officer and enlisted man who died in action. Do you wish to commit yourselves to that policy? If you do, you are going to have to do it under a roll call.

Mr. SCHAFER of Wisconsin. And the Member who offered the amendment admitted on the floor of the House that these dependents are not dependent within the meaning of the clause of dependency required for a dependent father or mother to obtain general pension law benefits.

Mr. STAFFORD. I am reminded that it will be paid to anyone, whether dependent or not. This is the most gigantic raid in its effective consequences that has been heard of in this or any other Congress.

Mr. RAGON. Mr. Speaker, I just want to take one or two minutes to answer the gentleman from Wisconsin [Mr. STAF-

FORD]. He refers to a rule which is brand new to me, and I have been here for practically eight years. It is new to me to learn that I have to absolutely surrender my rights as a representative of over 300,000 people to some particular set of men who are appointed by the Democratic leader or the Republican leader to stand up and object to bills, or some Member who takes unto himself the authority to do it. Our friend from Wisconsin has enunciated a rule that I never heard of before, either through courtesy or otherwise, that because, peradventure, he permits the bill to come up for consideration I am absolutely foreclosed after it comes up from offering an amendment. This amendment was prepared, as I recall it, by the gentleman from New York [Mr. REED] and the gentleman from Minnesota [Mr. ANDRESEN]. It was sent to a subcommittee by the chairman of the Committee on Claims. Four of us met there and we discussed the measure, and it was the consensus of opinion of the men who met there that if the Government of the United States, as a result of a great explosion in an arsenal, should pay some people for damage it did to property, then it ought to pay something to the dependents of the soldiers who were killed there.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Wisconsin to the amendment of the gentleman from New York.

Mr. SCHAFER of Wisconsin. I move to strike out the enacting clause.

Mr. REED of New York. Mr. Speaker, I make the point of order that that motion is not in order, because we are not considering the bill in Committee of the Whole.

The SPEAKER pro tempore. The Chair thinks the motion is in order, and overrules the point of order.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 14 and noes 64. So the motion was rejected.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD] to the amendment offered by the gentleman from New York [Mr. REED].

The amendment to the amendment was agreed to.

Mr. ANDRESEN. Mr. Speaker, I offer a perfecting amendment to the amendment offered by the gentleman from New York.

The SPEAKER pro tempore. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ANDRESEN to the amendment offered by Mr. REED of New York: Line 6 of the amendment, after the word "and," insert a dash and the word "or," so that it will read "enlisted men of the United States military and/or naval forces."

Mr. REED of New York. Mr. Speaker, I accept the amendment.

The amendment to the amendment was agreed to.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. REED] as amended.

The question was taken; and on a division (demanded by Mr. ANDRESEN) there were ayes 39 and noes 52.

So the amendment was rejected.

Mr. ANDRESEN. Mr. Speaker, I object to the vote on the ground of no quorum.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and ninety-nine Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 107, nays 189, answered "present" 1, not voting 134, as follows:

[Roll No. 31]

YEAS—107

Abernethy	Campbell, Iowa	Gulkin	Ellis
Almon	Carter, Calif.	Dallinger	Englebright
Andresen	Carter, Wyo.	Dorsey	Evans, Mont.
Aswell	Cartwright	Doughton	Finley
Barbour	Christgau	Dowell	Fitzgerald
Black	Connery	Drane	Foss
Bland	Cooper, Ohio	Driver	Fuller
Brumm	Craik	Dyer	Gasque
Cable	Crosser	Elliott	Gibson



Glover	Jonas, N. C.	Parks	Sloan
Goodwin	Knutson	Patterson	Somers, N. Y.
Gregory	Kopp	Peavey	Sproul, Kans.
Griffin	Kvale	Pittenger	Stalker
Guyer	Lambertson	Pratt, Harcourt J.	Sullivan, N. Y.
Hall, Ill.	Lankford, Va.	Pritchard	Taber
Hall, Miss.	McKeown	Quin	Tarver
Hall, N. Dak.	Maas	Ragon	Thatcher
Halsey	Magrady	Reed, N. Y.	Thurston
Hastings	Manlove	Reid, Ill.	Watres
Haugen	Mansfield	Rogers	Welch, Calif.
Hickey	Michener	Romjue	Wingo
Hill, Ala.	Mooney	Sabath	Wolverton, W. Va.
Hill, Wash.	Nelson, Me.	Sanders, N. Y.	Woodruff
Hogg, W. Va.	O'Connor, N. Y.	Sandlin	Woodrum
Hopkins	O'Connor, Okla.	Selvig	Wyant
Howard	Oldfield	Shott, W. Va.	Zihlman
Jeffers	Palmer	Sinclair	

## NAYS—189

Ackerman	Douglas, Ariz.	Lankford, Ga.	Rutherford
Adkins	Doxey	Leavitt	Sanders, Tex.
Allen	Dunbar	Leech	Schafer, Wis.
Allgood	Eaton, Colo.	Lehlbach	Schneider
Arentz	Eaton, N. J.	Letts	Seger
Arnold	Eslick	Loofbourow	Seiberling
Bacharach	Estep	Lozier	Simmons
Bachmann	Esterly	Luce	Smith, Idaho
Bacon	Evans, Calif.	Ludlow	Smith, W. Va.
Baird	Fort	McClintic, Okla.	Snow
Bankhead	Freeman	McClintock, Ohio	Sparks
Blanton	French	McFadden	Speaks
Bloom	Fulmer	McLaughlin	Sproul, Ill.
Bohn	Gambrill	McLeod	Stafford
Bolton	Garber, Va.	McMillan	Steagall
Bowman	Garrett	McReynolds	Stone
Box	Gifford	McSwain	Strong, Kans.
Brand, Ga.	Goss	Mapes	Strong, Pa.
Brigham	Green	Mead	Summers, Wash.
Buchanan	Greenwood	Merritt	Swanson
Buckbee	Hall, Ind.	Miller	Swick
Burdick	Hancock, N. Y.	Milligan	Swing
Burtness	Hardy	Montague	Taylor, Colo.
Busby	Hare	Montet	Temple
Byrns	Hartley	Moore, Ky.	Tilson
Campbell, Pa.	Hess	Moore, Ohio	Tinkham
Cannon	Hoch	Moore, Va.	Treadway
Chalmers	Hooper	Morehead	Tucker
Chinblom	Hope	Morgan	Turpin
Christopherson	Houston, Del.	Mouser	Underhill
Clancy	Huddleston	Murphy	Vestal
Cochran, Mo.	Hull, William E.	Nelson, Mo.	Vincent, Mich.
Cochran, Pa.	Irwin	Nelson, Wis.	Wainwright
Cole	James, Mich.	Norton	Walker
Collins	Jenkins	Oliver, Ala.	Warren
Colton	Johnson, Nebr.	Palmisano	Wason
Condon	Johnson, Tex.	Parsons	White
Cooper, Tenn.	Jones, Tex.	Perkins	Whitehead
Cox	Kading	Purnell	Whitley
Coyle	Kahn	Ramey, Frank M.	Whittington
Cramton	Kearns	Ramspeck	Wigglesworth
Cross	Kerr	Rankin	Wolfenden
Darrow	Ketcham	Rayburn	Wolverton, N. J.
Davis	Kinzer	Reece	Wood
Denison	Korell	Reilly	Wright
De Priest	Kurtz	Rich	Wurzbach
Dickinson	LaGuardia	Robinson	Yon
Dominick			

## ANSWERED "PRESENT"—1

Hull, Tenn.

## NOT VOTING—134

Aldrich	Cullen	Hull, Morton D.	Parker
Andrew	Davenport	Igoe	Patman
Auf der Heide	Dempsey	James, N. C.	Pou
Ayers	DeRouen	Johnson, Ill.	Prall
Beck	Dickstein	Johnson, Ind.	Pratt, Ruth
Beedy	Douglass, Mass.	Johnson, Okla.	Rainey, Henry T.
Beers	Doutrich	Johnson, S. Dak.	Ramseyer
Bell	Doyle	Johnson, Wash.	Ransley
Blackburn	Drewry	Johnston, Mo.	Rowbottom
Boylan	Edwards	Kelly	Sears
Brand, Ohio	Erk	Kemp	Shaffer, Va.
Briggs	Fenn	Kendall, Ky.	Short, Mo.
Britten	Fish	Kendall, Pa.	Shreve
Browne	Fisher	Kennedy	Simms
Browning	Fitzpatrick	Kleffner	Sirovich
Brunner	Frear	Kunz	Snell
Butler	Free	Langley	Spearing
Canfield	Garber, Okla.	Lanham	Stevenson
Carley	Garner	Larsen	Stobbs
Celler	Gavagan	Lea	Sullivan, Pa.
Chase	Golder	Lindsay	Summers, Tex.
Chipfield	Goldsborough	Linthicum	Taylor, Tenn.
Clague	Graham	McCormack, Mass.	Thompson
Clark, Md.	Granfield	McCormick, Ill.	Timberlake
Clark, N. C.	Hadley	McDuffie	Underwood
Clarke, N. Y.	Hale	Martin	Vinson, Ga.
Collier	Hancock, N. C.	Menges	Watson
Connolly	Hawley	Michaelson	Welsh, Pa.
Cooke	Hoffman	Newhall	Williams
Cooper, Wis.	Hogg, Ind.	Niedringhaus	Williamson
Corning	Holaday	Nolan	Wilson
Craddock	Hudson	O'Connor, La.	Yates
Crisp	Hudspeth	Oliver, N. Y.	
Crowther	Hull, Wis.	Owen	

So the amendment was rejected.

The Clerk announced the following pairs:  
General pairs until further notice:

Mr. Davenport with Mr. Igoe.  
Mr. Connolly with Mr. Garner.  
Mr. Beck with Mr. Canfield.  
Mr. Doutrich with Mr. Fisher.  
Mr. Crowther with Mr. Briggs.  
Mr. Andrew with Mr. Granfield.  
Mr. Erk with Mr. Clark of North Carolina.  
Mr. Free with Mr. Gavagan.  
Mr. Martin with Mr. Auf der Heide.  
Mr. Hadley with Mr. DeRouen.  
Mr. Fenn with Mr. Carley.  
Mr. Hawley with Mr. Bell.  
Mr. Aldrich with Mr. Edwards.  
Mr. Golder with Mr. Corning.  
Mr. Graham with Mr. Ayres.  
Mr. Clarke of New York with Mr. Goldsborough.  
Mr. Britten with Mr. Dickstein.  
Mr. Hogg of Indiana with Mr. Celler.  
Mr. Fish with Mr. Fitzpatrick.  
Mr. Beedy with Mr. Crisp.  
Mr. Holaday with Mr. Boylan.  
Mr. Frear with Mr. Drewry.  
Mr. Chipfield with Mr. Cullen.  
Mr. Johnson of Illinois with Mr. Douglass of Massachusetts.  
Mr. Kendall of Pennsylvania with Mr. Brunner.  
Mr. Beers with Mr. Collier.  
Mr. Johnson of Indiana with Mr. Hancock of North Carolina.  
Mr. Clague with Mr. Browning.  
Mr. Johnson of South Dakota with Mr. Linthicum.  
Mrs. Langley with Mr. McCormack of Massachusetts.  
Mr. Niedringhaus with Mr. Kennedy.  
Mr. Parker with Mr. O'Connor of Louisiana.  
Mrs. Ruth Pratt with Mr. Sirovich.  
Mr. Ramseyer with Mr. Oliver of New York.  
Mr. Johnson of Washington with Mr. Patman.  
Mr. Short of Missouri with Mr. Kemp.  
Mr. Menges with Mr. Spearing.  
Mr. Ransley with Mr. McDuffie.  
Mr. Shreve with Mr. Lanham.  
Mr. Snell with Mr. Henry T. Rainey.  
Mr. Johnston of Missouri with Mr. Pou.  
Mr. Stobbs with Mr. Stevenson.  
Mr. Taylor of Tennessee with Mr. Kunz.  
Mr. Watson with Mr. Summers of Texas.  
Mr. Sullivan of Pennsylvania with Mr. Prall.  
Mr. Timberlake with Mr. Larsen.  
Mr. Welsh of Pennsylvania with Mr. Underwood.  
Mr. Williamson with Mr. Vinson of Georgia.  
Mr. Yates with Mr. Williams.  
Mrs. McCormick of Illinois with Mr. Lea.  
Mr. Browne with Mr. Wilson.  
Mr. Blackburn with Mr. Lindsay.

The result of the vote was announced as above recorded.  
The doors were opened.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14675) entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes."

The message also announced that the Vice President had appointed Mr. KEYES and Mr. KENDRICK additional conferees on the part of the Senate on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15256) entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes."

The message also announced that the Senate had adopted the following order:

*Ordered*, That the House of Representatives be requested to rescind the action of the Speaker in signing the enrolled bill (H. R. 11675) entitled "An act to authorize the issuance of a patent in fee for certain land and buildings within the Colville Reservation, Wash., for public-school use," and to return to the Senate the engrossed bill.

The message also announced that the Senate had agreed to the amendments of the House to amendments of the Senate to bills of the following titles:

H. R. 3644. An act for compensation in behalf of John M. Flynn; and



H. R. 9872. An act to extend the benefits of the employees' compensation act of September 7, 1916, to Andrew J. Brown, a former rural mail carrier at Erwin, Tenn.

The message also announced that the Senate had agreed to the amendments of the House to the concurrent resolution (S. Con. Res. 38) to provide for the printing of additional copies of the report of the special committee to investigate communist activities in the United States.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 12571) entitled "An act to provide for the transportation of school children in the District of Columbia at a reduced fare," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CAPPER, Mr. BLAINE, and Mr. COPELAND to be the conferees on the part of the Senate.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

Mr. CRAMTON. Reserving the right to object, which I shall not do, because I know the purpose which the gentleman has in mind, I shall be obliged to object to other requests until this conference matter is disposed of.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CONNERY. Mr. Speaker, it is my sad duty to announce to the House of Representatives the death this morning in Boston of Maj. Gen. Clarence R. Edwards, wartime commander of the Twenty-sixth Yankee Division.

General Edwards was the idol of every officer and man in the Twenty-sixth Division. No commanding officer of any division during the World War held the love and affection of his men and their steadfast loyalty to a greater degree than this great general.

The distinguished gentleman from Tennessee, Mr. REECE, and I both had the honor to serve in that division. It is a sad, sad duty for me to-day to announce the death of this great man after the wonderful fight which he made for his life. The heart of every Yankee Division man is bowed in sorrow to-day. To the men under his command he was "Daddy" and the "Old Man." His men fought under him in battle not only for their flag and country but for the "Old Man." He fought for them. They fought for him.

During his last illness his name was on every Yankee Division tongue throughout New England and the Nation. They were praying he would win this last fight. His battles are over but he has left a memory that will be ever green until every veteran of the famous fighting Twenty-sixth has gone to the Great Beyond.

#### COLVILLE RESERVATION, WASH.

The SPEAKER. The Chair lays before the House the following communication from the Senate:

*Ordered*, That the House of Representatives be requested to rescind the action of the Speaker in signing the enrolled bill (H. R. 11675) entitled "An act to authorize the issuance of a patent in fee for certain land and buildings within the Colville Reservation, Wash., for public-school use," and to return to the Senate the engrossed bill.

Without objection, the request of the Senate will be complied with.

There was no objection.

#### SPEECH IN OPPOSITION TO BIRTH-CONTROL LEGISLATION

Mr. MEAD. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a speech delivered by my colleague, Mrs. NORTON, on the bill S. 4582. This speech was delivered before a subcommittee of the Committee on the Judiciary in the Senate and includes several letters relating to the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MEAD. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following speech of my colleague, Mrs. NORTON.

Mr. Chairman and members of the committee, I am here in opposition to Senate bill 4582.

I challenge the statement that thousands of women are sponsoring this bill.

It is a fact that a very small percentage of women know anything about it.

Paid lobbyists of the Birth Control League should not be confounded with the fine womanhood of America, the vast army of mothers, who consider the bearing of children their greatest privilege—the pressure of a baby face against their own the highest form of earthly happiness.

Marriage is, or should be, a sacred thing. It is concerned with love, purest love, and it is a fact that the more sacrifice it entails the greater amount of happiness results.

In this connection, I would like to quote an editorial in the Pictorial Review, October, 1915, as follows:

"The average man, the sort of man you and I know and break bread with, is a potential prize package. He faces his wedding day with heart and soul overflowing with good intentions. Nobody can crush them except the woman he marries. When a man has selected the girl for whom he is willing to work all the rest of his life, the girl with whom he is willing to live till death parts them, he has quite as fine ideals of marriage as any woman. This girl he is marrying to be the mother of his children, the maker of his home, the guardian of his happiness.

"If she studies with him the art of loving and develops into the true mother and home maker of his dreams, she does not have to ask him whether he loves her, for he places her on the pedestal from which no modern ideas can drag her."

The advocates of birth control would have you believe that children are an affliction, a liability, enervating, and many other horrible things, when, as a matter of fact, they are the greatest gift of God. I say this, not theoretically but from personal knowledge.

You have only to search the records and you will find throughout the world that the happiest family is the large one. In this class you will discover fewer divorces, greater contentment, more normal conditions mentally and physically. You will also find that many world leaders have come from the ranks of the large family.

The dissemination of birth-control literature would be unnecessary if men and women would practice self-control. Too much filthy literature is now spread before innocent eyes, and it is a pity that the women who are trying to amend the purity law passed by Congress 58 years ago would not seek a more worthy outlet for their energies.

The proponents of this bill insist that this information is to help the feeble-minded.

Does anyone believe that any kind of information would help the feeble-minded?

Is it not a fact that their condition of mind would prevent them from grasping the significance of the information?

Is it not also a fact that if the medical men of the country believed in spreading birth-control information they would be the first to come forward to indorse this bill?

Instead of so doing, we find the distinguished men and women of the profession arrayed against it. I have personally discussed this matter with the leading doctors in my State and found that 33 out of 35 were absolutely opposed to the dissemination of birth-control literature, believing that such literature would fall into the hands of adolescents and cause much human misery.

In this connection I would like to quote a man for whom I have the greatest respect, Dr. Hugh S. Cumming, Surgeon General of the United States Public Health Service, in an article written and published by the American Social Hygiene Association Journal, February, 1924, as follows:

"I do not think it wise for this society to advocate the use of the mails for the teaching of a procedure which will not attain the end to be desired, but will deliberately offend the moral and ethical sense of larger groups of intelligent and conscientious people."

This I believe to be the opinion of the intelligent men and women of this country; the very fact of spreading information for the benefit of people who, by their lack of intelligence, are unable to grasp its meaning proves conclusively the fallacy of the theory upon which this bill is written.

It is said continually that this information is necessary to the poor. I resent such an implication and challenge its honesty.

Myself, one of a family of eight, far from rich—and a welfare worker for many years—I can say, with all sincerity, that nowhere will one find a finer sense of helpfulness and contentment than in the homes of the poor. A large percentage of the great men and women of this country were born poor. Instead of this being a handicap, their condition of birth was a blessing, for it fired them with the ambition that is always necessary to achieve.

A few days ago we celebrated the birthday of a great American—Abraham Lincoln—one of a large family whose forbears were considered to be ignorant—the kind of people this bill is supposed to help. Will any person contend that eugenics could have produced a greater mind or heart?

He is but one example of a long list of distinguished men and women, drawn from the ranks of the poor, whose contribution to our beloved country has placed it foremost in the world.

The proponents further contend that they are concerned with the health of women. Surely they must know that nothing abnormal and contrary to the laws of nature will tend to safeguard the health of any woman.

I could tell you of a number of women, personally known to me, who have borne large families and have reached middle life healthy and fine looking.



I could also tell you of a great many others who have had but one child, who are approaching middle age mentally and physically unfit.

All of which should prove that the number of children a woman bears probably plays a less important part in her physical life than many other causes.

There is a practical phase to this question. It is axiomatic in law that a foolish, impossible law is no law.

The sale of literature and of contraceptives would become a racket.

Theodore Roosevelt was, beyond doubt, one of the greatest minds of his time. Too well he saw the meaning of artificially small families. In his sixth annual message to Congress he uttered a very fitting paragraph on the subject of house, home, and children.

The late President said:

"When home ties are loosened, when men and women cease to regard a worthy family life, with all its duties fully performed and all its responsibilities lived up to, as the life best worth living, then evil days for the commonwealth are at hand. There are regions in our land and classes of our population where the birth rate has sunk below the death rate. Surely it should need no demonstration to show that willful sterility is, from the standpoint of the human race, the sin for which the penalty is national death; race death, a sin for which there is no atonement."

He believed in a definite devotion to home, parents, and children.

We must secure survival of the stock of the forefathers of this country, who, in the words of Abraham Lincoln, in his speech at Gettysburg: "Brought forth upon this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal."

Society is a living, progressive human order. Woman has the final privilege of consent or refusal; so has she the final duty and obligation to know what she is doing when she marries.

If she does not conscientiously fulfill her obligation to herself, to her husband, and to her country, she has missed the surest road to a contented, happy life.

In conclusion, may I call your attention to the following protest from Dr. John F. Hagerty, of Newark, N. J., which I request to have printed in the RECORD.

Thank you, Mr. Chairman.

NEWARK, N. J., February 9, 1931.

HON. MARY T. NORTON:

May I ask you to consider the following protest against the Senate bill, No. 4582, known as the birth control bill, and by some referred to as the doctors' bill, and that the protest be embodied in the report of the hearing?

Physicians are not responsible for the introduction of this measure, nor are they solicitous about its passage, as its proponents would have you believe, but on the contrary, the great majority of the medical profession is unqualifiedly opposed to the passage of such a measure, as will appear from the following:

Every physician in the world subscribes, tacitly at least, on receiving his diploma to the Hippocratic oath, which says, "I will not give to any woman a destructive pessary" which, when literally interpreted, means that he or she will do nothing to prevent conception or destroy the products of conception.

The law of the land and of our State, which the Birth Control League is endeavoring to have repealed, prohibits the giving advice or transmission through the mails of such advice, or practicing methods of contraception and during all the years such act has been in force, but few physicians could have been transgressing the law else the present agitation would be unnecessary.

Membership in the American Medical Association is the mark of respectability among physicians in this country. One must be a member of his or her county and State medical society to be a member of the American Association. No physician who is known to be practicing methods of birth control or inducing abortion can become a member of the county medical society.

The American College of Surgeons and the American College of Physicians are the representative organizations of the land, made up of honorable, learned, and capable physicians and surgeons. I have served on the credentials committee of the American College of Surgeons and can testify that no physician or surgeon who was known to be practicing in any way contraception or abortion could become a member.

The Federal statute which the Birth Control League wishes repealed makes it a criminal offense to publish or transmit through the mail literature concerning methods of contraception or of inducing abortion, and the American Medical Association has, for several years, waged a campaign against the publication of matter concerning such methods, and has secured the cooperation of the majority of reputable newspapers of the land in preventing the publication of such literature.

The great majority of physicians are self-respecting and desire the respect and esteem of their colleagues. There are about 8,000 fellows of the American College of Surgeons and nearly 140,000 members of the American Medical Association, all of whom must of necessity be opposed to this birth-control measure, and the great majority of whom are not desirous of bartering away the prerogatives of their sacred calling for the privilege or monetary gain that may come from dispensing birth-control information.

Let me ask you to read the following, quoted from The Physician Himself, by Cathell, twentieth century edition, page 97:

"A physician's life is full of moral conflicts, but when importuned to limit the number of children of married people who already have all they want, or who are first married, and do not

want the inconvenience of children so soon, or for ladies who are too sickly to have children, or for a thousand and one other ridiculous and unwarranted reasons, do not stop to discuss the subject, but meet all such entreaties and arguments with a refusal, prompt, strong, and positive. If they are too importunate, inform them that they have entered the wrong door, and with unmistakable upright, downright, outright American frankness, bow them out."

And again on page 100:

"To give directions for the prevention of conception or instructing persons in onanism, buggery, or other nasty unnamable sins; or in the guilty use of condoms, sponges, syringes, or preventives against venereal diseases or conception or in the use of this, that, or other instruments or drug expedient to aid crime or defeat nature—through offenses beyond the reach of man-made laws—is nevertheless derogatory and degrading to the physician and a violation of his professional office."

And again—a soliloquy—Philadelphia County Medical Society. I am a physician.

I am a member of a guild whose constant purpose through the ages has been to heal the sick, make the blind to see, the lame to walk, and to comfort those who mourn.

I am rich in the heritage of history and tradition that have been handed down to me by the fathers of medicine. I am bound by the oath of Hippocrates to be faithful to those traditions and high ideals which bind our guild together in unity.

I must so live that when this mortal coil is shuffled off it may be said of me that I have ever been true to my obligations and that the traditions of medicine have not been sullied by me.

I repeat—no self-respecting physician can be engaged in such practices as are contemplated by the advocates of birth control nor can they be in favor of the passage of the birth control bill.

May I say that I have been practicing medicine and surgery in this city 37 years, and am a member of the American Medical Association and a fellow of the American College of Surgeons and have held among other offices presidency of the Essex County Medical Society, presidency of the Academy of Medicine of Northern New Jersey and am at present first vice president of the New Jersey State Medical Society, and am earnestly interested in the defeat of this iniquitous measure, and trust you may use your honorable office to oppose it.

Respectfully,

JOHN F. HAGERTY, M. D.

P. S.—May I ask that this protest be printed in the CONGRESSIONAL RECORD.

#### PROPOSED AMENDMENT TO CONSTITUTION—SUPPLEMENTAL REPORT

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to file a supplemental report on the resolution (H. J. Res. 292) proposing an amendment to the Constitution of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### INTERIOR DEPARTMENT APPROPRIATION BILL—CONFERENCE REPORT

Mr. CRAMTON. Mr. Speaker, I call up the conference report on the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Michigan [Mr. CRAMTON] calls up a conference report on the bill H. R. 14675, the Interior Department appropriation bill, and asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 20, 22, 23, 24, 25, 26, 27, 35, 36, 41, 43, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 84, 85, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 135, 136, 137, 140, 141, 142, 143, and 145.



That the House recede from its disagreement to the amendments of the Senate numbered 14, 15, 28, 29, 32, 37, 38, 39, 40, 42, 57, 69, 86, 134, 138, and 139, and agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$60,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$224,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,528,500"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$15,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$490,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$815,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and not to exceed 10,000 may be expended in the discretion of the Secretary of the Interior for the payment of salaries of public-school teachers employed by the State or county in special Indian day schools in full-blood Indian communities where there are not adequate white day schools available for their attendance"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$720,000"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,141,740"; and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Public Resolution No. 112 of the Seventy-first Congress for the relief of farmers in the drought-stricken areas approved December 20, 1930, is hereby amended by adding at the end thereof the following: 'Any money appropriated pursuant to the authorization contained in this section may be used in the purchase of feed for other livestock upon the same terms and conditions as such money may be used for the purchase of feed for work stock.'

"In addition to the sums herein authorized, and appropriations made thereunder, there is hereby appropriated to be immediately available, out of any money in the Treasury not otherwise appropriated, the sum of \$20,000,000 to be used by the Secretary of Agriculture for the following purposes: (1) To make advances or loans to individuals in the drought and/or storm or hail stricken areas of the United States for the purpose of assisting in forming local agricultural-credit corporations, livestock loan companies, or like organizations,

or of increasing the capital stock of such corporations, companies, or organizations qualified to do business with Federal intermediate credit banks, or to which such privileges may be extended, and/or of making loans to individuals upon the security of the capital stock of such corporations, companies, or organizations; and (2) to make advances or loans to farmers for crop production for the crop of 1931 and for further agricultural rehabilitation in the drought and/or storm stricken or hail stricken areas of the United States. The advances and loans made pursuant to this act and amendment thereto shall be secured by liens on crops or by other security, under such rules and regulations as the Secretary of Agriculture may prescribe."

And the Senate agree to the same.

LOUIS C. CRAMTON,  
FRANK MURPHY,  
BURTON L. FRENCH,  
EDWARD T. TAYLOR,  
WILLIAM W. HASTINGS,

*Managers on the part of the House*

REED SMOOT,  
W. L. JONES,  
LAWRENCE C. PHIPPS,  
JOHN B. KENDRICK,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On No. 10: Eliminates provision making the appropriation for construction and repair of telephone lines between Gallup, N. Mex., and the Zuni Indian Agency "immediately available," as proposed by the Senate, because of general language in the bill to the same effect.

On No. 14: Makes \$10,000 of the appropriation of \$125,000 from tribal funds for lease or purchase of water rights for Navajo Indians "immediately available," as proposed by the Senate.

On No. 15: Provides that payments from tribal funds to the Kiowa, Comanche, and Apache Indians, of Oklahoma, in the sum of \$200,000, shall be made in two equal installments, one during the month of October and one during the month of March, as proposed by the Senate.

On No. 18: Strikes out the limitation inserted by the Senate providing that with respect to the Klamath Reservation no part of the appropriation for expenses incidental to the sale of timber shall be paid for expenses incident to the selling of timber on such reservation, including expenses of administration, in excess of 3½ per cent of the gross receipts derived from such sale.

On No. 19: Appropriates \$60,000 for the purpose of obtaining employment for Indians, instead of \$70,000 as proposed by the Senate and \$50,000 as proposed by the House.

On No. 23: Restores the appropriation for construction, for surveys, and for purchase of reservoir and camp sites on the Flathead Indian Reservation, Mont., as proposed by the House.

On No. 25: Restores the appropriation for construction on the Two Medicine and Badger Fisher divisions of the irrigation systems on the Blackfeet Indian Reservation in Montana, as proposed by the House.

On No. 28: Makes the appropriation for payment to the Middle Rio Grande conservancy district "immediately available," as proposed by the Senate.

On No. 29: Appropriates \$360,000 for continuing construction of the Wapato irrigation and drainage system (Yakima Reservation, Wash.), as proposed by the Senate.

On No. 31: Makes \$15,000 of the appropriation for support of Indian day and industrial schools available for edu-



cation of the Alabama and Coushatta Indians in Texas, in lieu of \$25,000 as proposed by the Senate and \$4,500 as proposed by the House.

On No. 32: Inserts the words "and other educational purposes," as proposed by the Senate, in the appropriation from tribal funds for tuition among the Five Civilized Tribes.

On Nos. 33, 34, 35, 36, and 37, relating to the lease, purchase, and repair of buildings at Indian day and industrial schools: Corrects two totals; strikes out the words "to be immediately available," as proposed by the Senate, to the appropriation for the Fort Apache, Ariz., girls' dormitory; strikes out the appropriation for a girls' dormitory at Albuquerque, N. Mex., as proposed by the Senate, and inserts \$15,000 for completing the Blackfeet boarding school, as proposed by the Senate.

On No. 38: Appropriates \$85,000, as proposed by the Senate, for constructing school building, equipment, etc., at Pawnee, Okla.

On No. 39: Appropriates \$6,500 for repair, etc., of public-school buildings within Indian reservations in Arizona, attended by children of the Indian Service, as proposed by the Senate.

On No. 40: Reappropriates the unexpended balance for the construction of a girls' dormitory, including equipment, at the Theodore Roosevelt Indian School, Fort Apache, Ariz., as proposed by the Senate.

On No. 41: Eliminates the appropriation of \$127,000 proposed by the Senate for school building, equipment, etc., at the Fort Sill Indian School, Oklahoma.

On No. 42: Reappropriates the unexpended balance for new school building, etc., at Pierre, S. Dak., as proposed by the Senate.

On No. 44: Under the appropriation for aid to common schools in Oklahoma, restores the language proposed by the House with an amendment providing that the \$10,000 made available thereunder may be used for the payment of public-school teachers employed by the State or county.

On No. 46: Eliminates appropriations proposed by the Senate for cooperating with the town of Frazer, Mont., in the construction of public high-school building (\$25,000), and for the extension of a public high-school building at Poplar, Mont. (\$50,000).

On No. 50: Restores the name "Pierre," as proposed by the House in locating a new Sioux sanatorium in South Dakota.

On No. 54: Strikes out the appropriation of \$3,000 for medical aid for the Alabama and Coushatta Indians in Texas, as proposed by the Senate.

On No. 55: Strikes out the appropriation of \$70,000, as proposed by the Senate, for improvement of land and reservation occupied by the Alabama and Coushatta Indians in Texas.

On No. 57: Strikes out the limitation of \$10,000, as proposed by the House, for home-demonstration work among Indians.

On No. 58: Eliminates the provision, proposed by the Senate, that no part of the appropriation for general support of Indians and administration of Indian property may be paid to Herbert J. Hagerman.

On No. 62: Restores the reimbursable provision, as proposed by the House, to the appropriation for administration of the Quapaw Indian Agency.

On Nos. 63, 64, 65, 66, and 67: Restore tribal fund appropriations, as proposed by the House.

On No. 68: Corrects total.

On No. 69: Makes available full amount of tribal funds appropriated in paragraph, as proposed by the Senate.

On No. 70: Restores provision of the House making available tribal funds of the Creek Nation for payment to attorneys.

On No. 71: Restores the language of the House making available tribal funds of the Seminole Nation of Indians for payment to attorneys.

On No. 75: Eliminates the provision of the Senate that no part of the tribal fund appropriation for the Confederate Bands of Ute Indians shall be used to pay expenses of an organization known as the United States All Pueblo Council.

On No. 76: Strikes out the proposal of the Senate to appropriate \$60,000 for the construction of roads on the Blackfeet Indian Reservation and \$40,000 for the construction of roads on the Rocky Boy Indian Reservation, each in the State of Montana.

On Nos. 79 and 80: Restore the word "only," as proposed by the House, in connection with the appropriation for co-operation with States or municipalities in making topographic surveys, and eliminate the provision of the Senate that funds not matched by States or municipalities shall be available for mapping national forests, national parks, or other Federal projects.

On No. 82: Makes \$48,000 available for operation of the Lees Ferry, Ariz., gaging station, as proposed by the House, instead of \$50,000 as proposed by the Senate.

On No. 83: Corrects total.

On No. 86: Strikes out the restricting word "topographic," as proposed by the Senate, in connection with aerial photographs made by the Army, Navy, and Marine Corps flying services on request of the Secretary of the Interior.

On Nos. 88 and 89: Eliminate the language proposed by the Senate placing specialists and experts engaged in examinations to determine suitability of lands for national park and national monument purposes under civil-service rules and regulations and restore the House language exempting them therefrom.

On No. 134: Inserts the language proposed by the Senate authorizing the President, by proclamation, to add to Yosemite National Park lands purchasable under that item.

On No. 137: Restores the limitation proposed by the House that no one other than the general manager of the Alaska Railroad may receive a salary of more than \$6,000.

On No. 138: Provides that not to exceed \$250,000 of the appropriation for the Alaska Railroad shall be available for investigation of mineral and other resources of Alaska, as proposed by the Senate.

On No. 139: Makes \$250,000 of the appropriation for the Alaska Railroad available only for such capital expenditures as would be permitted under the regulations of the Interstate Commerce Commission, as proposed by the Senate, instead of \$200,000, as proposed by the House.

On No. 144: Makes available in the drought-stricken areas funds appropriated in Public Resolution No. 112 of the Seventy-first Congress for the purchase of feed for other livestock upon the same terms and conditions as such money may be used for the purchase of feed for work stock, and also appropriates \$20,000,000 for loans to assist in forming agricultural credit organizations and loans for further agricultural rehabilitation, and provides as security for such loans liens on crops or by other security, under rules and regulations prescribed by the Secretary of Agriculture.

On No. 145: Eliminates the proposal of the Senate that no part of any appropriation provided in the bill shall be used on new construction at the Klamath Indian Reservation.

The Senate has receded on 90 amendments in disagreement dealing exclusively with salary increases, as follows: Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 16, 17, 20, 22, 24, 26, 27, 43, 45, 47, 48, 49, 51, 52, 53, 56, 59, 60, 61, 72, 73, 74, 77, 78, 81, 84, 85, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 135, 136, 140, 141, 142, 143.

There are three amendments involving other matters in addition to salary increases. These amendments are Nos. 21, 30, and 87. The purpose of these three amendments in addition to salary increases, from which the Senate has receded, is contained in the three following paragraphs.

On No. 21: Increases to \$224,000 the appropriation for irrigation on Indian reservations instead of \$220,000, as proposed by the House, and \$226,000, as proposed by the Senate.

No. 30: Increases to \$3,528,500 the appropriation for support of Indian day and industrial schools instead of \$3,557,750, as proposed by the Senate, and \$3,518,000, as proposed by the House, and is due to amendment No. 31, which in-



creases the amount available for education of Alabama and Coushatta Indians in Texas by \$10,500.

No. 87: Corrects a total.

LOUIS C. CRAMTON,  
FRANK MURPHY,  
BURTON L. FRENCH,  
EDWARD T. TAYLOR,  
W. W. HASTINGS,

*Managers on the part of the House.*

Mr. CRAMTON. Mr. Speaker, it is not my desire to take any great amount of time in debate upon this report. The delay upon this bill has already been so long continued that I hope it will not be continued another day. This bill passed the House on the 12th of December and now on the 14th of February it would seem time for its final enactment.

I will ask unanimous consent, Mr. Speaker, to revise and extend my remarks upon this bill and the various amendments thereto, and to have permission to include in such extension certain extracts, statements, and quotations.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CRAMTON. Mr. Speaker, I present herewith, according to my custom, a financial statement of Senate amendments to the Interior Department bill and the conference action upon them:

Amount of bill as passed the Senate.....	\$69,698,300.73
Amount of bill as passed the House.....	68,756,606.73
Net addition.....	941,694.00
House has receded from—	
Obtaining employment for Indians.....	10,000.00
Irrigation on Indian reservations.....	4,000.00
Construction, Wapato (Wash.) irrigation system.....	360,000.00
Education, Alabama and Coushatta Indians, Texas.....	10,500.00
Completing Blackfeet boarding school, Montana.....	15,000.00

<sup>1</sup> The above amount of bill as passed the Senate does not include \$25,000,000 added by the Senate for relief work in drought-stricken areas by the Red Cross. The conferees have agreed upon an appropriation of \$20,000,000 for this purpose, with certain changes in the method of expenditure, but this sum is not included in above statement, as the appropriation is for an emergency relief purpose and not for the usual Interior Department activities.

House has receded from—Continued.

Indian school building and equipment, Pawnee, Okla.....	\$85,000.00
Repairs, etc., public-school buildings in Arizona.....	6,500.00
Total increases accepted by House.....	491,000.00
Senate has receded from—	
Salary increases, employees in underaverage grades.....	248,194.00
Obtaining employment for Indians.....	10,000.00
Irrigation on Indian reservations.....	1,000.00
Girls' dormitory, Albuquerque, N. Mex.....	90,000.00
Construction, etc., Fort Sill Indian School, Oklahoma.....	127,000.00
Construction, etc., high school, Frazier, Mont.....	25,000.00
Extension of high school, Poplar, Mont.....	50,000.00
Medical aid, Alabama and Coushatta Indians, Texas.....	3,000.00
Improvement of lands, Alabama and Coushatta Indians, Texas.....	70,000.00
Support and administration of Indian property.....	51,000.00
Construction of roads, Blackfeet Reservation, Mont.....	60,000.00
Construction of roads, Rocky Boy Reservation, Mont.....	40,000.00
Lees Ferry gaging station, Arizona.....	2,000.00
Total decreases accepted by Senate.....	777,194.00

Amount of Budget estimates.....	69,588,741.73
Amount of bill as agreed to by conferees.....	69,247,606.73

Less than Budget.....	341,135.00
Amount of bill, including drought-relief appropriation.....	89,247,606.73

The Senate has also receded from the following reductions made by the Senate to the House bill:

Construction work, etc., Flathead Indian Reservation, Mont.....	\$270,000.00
Construction work, Blackfeet Indian Reservation, Mont.....	46,000.00
Total.....	316,000.00

Also I present Table A showing the amendments of financial effect in controversy and the conference action thereon; also, Table B, giving a comparison of this bill as recommended by the conferees with appropriations for former years.

TABLE A.—Statement of Senate amendments involving appropriations, showing effect of action of conferees thereon

Amendment No.	Subject	Budget estimate	Appropriated by House	Appropriated by Senate	Amount agreed	Increase (+) agreed amount compared with House figure—general	Increase (+), decrease (–) agreed amount compared with Senate figure	
							Indian tribal funds	General
19.....	Obtaining employment for Indians.....	\$75,000	\$50,000	\$70,000	\$60,000	+\$10,000		–\$10,000
21.....	Irrigation, Indian reservations.....	242,700	220,000	226,000	224,000	+4,000		–2,000
23, 24.....	Construction, Flathead Indian Reservation, Mont.....	283,100	338,000	68,100	338,000			+269,900
25.....	Blackfeet Indian Reservation.....	78,000	78,000	32,000	78,000			+46,000
29.....	Wapato irrigation system.....	360,000		360,000	360,000	+360,000		
30.....	Education, day and industrial schools.....	3,557,750	3,518,000	3,557,750	3,528,500	+10,500		–29,250
36.....	Girls' dormitory, Albuquerque, N. Mex.....			90,000				–90,000
37.....	Blackfeet boarding school.....			15,000	15,000	+15,000		
38.....	School building, Pawnee, Okla.....			85,000	85,000	+85,000		
39.....	School buildings for service children, Arizona.....			6,500	6,500	+6,500		
41.....	Fort Sill Indian School, Okla.....			127,000				–127,000
46.....	School construction, Frazier and Poplar, Mont.....			75,000				–75,000
54.....	Medical aid, Alabama and Coushatta Indians of Texas.....			3,000				–3,000
55.....	Improvement of land, Alabama and Coushatta Indians.....			70,000				–70,000
56.....	General support and administration, Indian property.....	1,154,900	1,275,000	1,343,000	1,275,000			–68,000
63.....	Sac and Fox Indians.....	3,100	31,100		3,100		+\$3,100	
64.....	Kiowa, Comanche, and Apache Indians.....	51,000	51,000		51,000		+51,000	
66.....	Klamath Indians, Oregon.....	136,000	136,000		136,000		+72,000	
76.....	Construction of roads, Blackfeet and Rocky Boy Reservations.....			100,000				–100,000
82.....	Lees Ferry gaging station.....	50,000	48,000	50,000	48,000			–2,000
144.....	Drought relief appropriation for use by Red Cross.....	(1)						
1 to 9, inclusive, 11, 12, 13, 16, 17, 20, 24, 26, 27, 43, 45, 47, 48, 49, 51, 52, 53, 59, 60, 61, 72, 73, 74, 77, 78, 81, 84, 85, 90–133, inclusive, 135, 136, 140–143, inclusive.....	Salary increases for underaverage employees.....	\$200,844		\$200,884				–200,844
Total.....						+491,000	+126,100	–461,194

<sup>1</sup> Figures showing the action of the conferees on this amendment (No. 144) are not included in the above table as this item is not an Interior Department project and was placed on the bill as an emergency measure to relieve people in the drought-stricken areas. The conferees agreed upon an appropriation of \$20,000,000 to be loaned to persons through credit organizations to be set up in the areas affected and broadened the terms of Public Resolution No. 112.

<sup>2</sup> In addition to this amount salary increases totaling \$47,350, are deducted in amendments numbered 21, 22, 30, and 56, included in the above table, such increases being involved with other matters contained in these amendments.



TABLE B.—Appropriations under the Department of the Interior, including deficiencies, fiscal years 1916-1932  
[Exclusive of permanent and indefinite appropriations]

	Indian tribal funds	Indian reimbursable appropriations	All other Indian appropriations	Army and Navy pensions	Civil-service retirement fund	Reclamation	All other Interior Department appropriations	Total
1932.....	\$3,275,963.98	\$3,028,241.00	\$21,886,255.73	(1)	(1)	\$22,071,000.00	\$22,262,110.00	\$72,523,570.71
1931.....	3,231,032.04	2,309,441.00	20,053,989.74	\$212,500,000.00	\$20,850,000.00	19,721,000.00	23,797,044.00	301,370,055.78
1930.....	4,728,829.60	1,991,261.00	16,818,613.81	221,000,000.00	20,500,000.00	8,353,000.00	19,855,847.52	293,247,549.93
1929.....	3,991,202.74	2,485,720.00	13,481,997.11	229,000,000.00	19,950,000.00	14,149,400.00	17,041,967.55	300,130,287.40
1928.....	2,535,955.00	5,452,125.00	11,044,361.00	267,000,000.00	-----	11,903,800.00	15,851,541.34	313,787,782.34
1927.....	2,414,805.00	2,412,500.00	10,525,869.31	193,000,000.00	-----	7,556,000.00	14,121,908.75	230,023,086.06
1926.....	2,135,010.00	1,589,178.00	13,723,681.55	197,000,000.00	-----	12,349,000.00	20,924,109.00	247,720,978.55
1925.....	2,612,700.00	1,556,106.08	9,656,420.00	222,590,000.00	-----	11,106,289.00	19,215,518.00	266,737,033.08
1924.....	2,406,600.00	2,179,850.00	9,458,854.00	253,000,000.00	-----	12,250,000.00	21,598,534.00	300,896,848.00
1923.....	2,433,573.00	1,041,466.00	9,383,720.00	268,000,000.00	-----	15,075,000.00	22,710,520.00	318,694,279.00
1922.....	2,716,921.00	1,249,005.00	8,724,170.00	265,000,000.00	-----	20,266,000.00	20,160,758.00	318,116,854.00
1921.....	1,415,165.00	1,450,830.00	9,268,513.00	279,000,000.00	-----	8,463,000.00	21,972,532.00	321,570,040.00
1920.....	1,531,817.00	2,173,833.00	9,160,629.00	215,000,000.00	-----	7,300,000.00	24,071,690.00	259,237,948.00
1919.....	1,750,000.00	2,133,583.00	8,982,753.00	223,000,000.00	-----	9,497,080.00	20,365,644.00	265,729,080.00
1918.....	1,291,117.00	2,029,500.00	9,818,295.00	183,000,000.00	-----	8,227,000.00	28,396,245.00	232,762,157.00
1917.....	1,263,250.00	1,921,986.00	9,045,658.00	163,000,000.00	-----	8,884,000.00	18,275,465.00	202,390,359.00
1916.....	665,000.00	518,740.00	9,253,162.00	164,000,000.00	-----	13,530,000.00	15,120,077.00	203,086,979.00

<sup>1</sup> Appropriations for 1932 for the Pension Bureau and Civil Service retirement fund will be contained in the Independent Offices bill owing to the transfer of these items to the Veterans' Administration.

<sup>2</sup> Includes deficiency for 1927, which was paid from 1928 appropriations.

<sup>3</sup> Does not include appropriations for the Patent Office and the Bureau of Mines, which have been transferred to the Department of Commerce.

<sup>4</sup> Includes \$4,773,160 appropriated for the Patent Office and the Bureau of Mines transferred to the Department of Commerce July 1, 1925.

#### ROADS ON MONTANA INDIAN RESERVATIONS

Some petulant criticism has been heard in another legislative body that the conferees did not retain the Senate amendment 76, proposing appropriation of \$100,000 for roads on two Indian reservations in Montana. Inasmuch as the bill carries \$500,000 for building roads on Indian reservations, twice the amount of the current year, and in addition under authority of the Colton-Oddie bill there has been for the first time appropriated for the coming year for building of roads on the public domain, including Indian reservations, \$3,000,000, and in each of these Montana will share. The conferees could see no reason for the proposed special Montana appropriations. To have given approval to amendment 76 would have given unfair recognition to Montana unless, as would be quite probable, the Comptroller General should hold that, having such special appropriations, the State would be barred from any share in the two general road funds for Indian reservations. It may be remembered that the gentleman from Montana [Mr. LEAVITT] played an important part in the framing and passage of the Colton-Oddie bill and thereby provided for a constant and carefully planned system of reservation highways.

The gentleman from Montana [Mr. LEAVITT] advises me he has assurance that allocations will be made from the \$500,000 fund this year for substantial portions of each of these roads. It is to be remembered that as to roads thus built under the \$500,000 fund the labor all goes to Indians by requirement of law. Under amendment 76 that would not necessarily have been the case.

#### PAWNEE INDIAN SCHOOL

Amendment 38, proposed by the Senate, would provide for a new school building, auditorium, and gymnasium at this Indian school, would install a heating plant, and convert the present school building into a dormitory at a total cost of \$85,000. In view of the following statement from the Commissioner of Indian Affairs, the House conferees believe the proposed expenditure desirable and have accepted the Senate amendment.

Uncertainty has existed as to the possible future of this institution. In view of our general public-school policy for Indian children wherever practicable and the cooperative attitude of the Oklahoma State Department of Education, we have been somewhat reluctant to undertake any large amount of construction except where use of the plant is indicated for some time to come or a definite policy has been worked out. Data were not available at the time of the preparation of the Budget estimates to permit us to make a definite recommendation. In recent months surveys have been made and the proposed construction at Pawnee is now regarded as consistent with our policy. Arrangements are being perfected for public-school attendance at Pawnee of pupils above the third grade, but it is apparent that some enlargement and additional facilities are required for efficient operation of the plant. The proposed amendment makes possible this expansion and will permit more efficient operation of the school.

This action of the conferees resulted largely from the representations made in conference by the gentleman from

Oklahoma [Mr. HASTINGS], who never has to resort to a filibuster to convince the Indians of Oklahoma that he is their friend, and who in his quiet but sincere way accomplishes many things here for his people.

My interest in the proper rebuilding and enlargement of the Pawnee school has also been aroused by the persistent efforts of the gentleman from Oklahoma, Mr. O'CONNOR, in whose district the school is located. For more than a year he has been indefatigable in his efforts to secure needed funds for the institution. A year ago the gentleman from Oklahoma sought to incorporate a similar amendment in the Interior Department appropriation bill, and since that time, with the department and with members of the committee, he has been very diligent.

#### FORT SILL INDIAN SCHOOL

Amendment No. 41, with reference to the Fort Sill Indian School, Oklahoma, reads as follows:

Fort Sill Indian School, Oklahoma: For school building embracing schoolrooms, auditorium, and gymnasium, \$40,000; for machine shop and equipment, \$10,000; for boys' dormitory, \$30,000; for girls' dormitory, \$30,000; for repair and improvement, \$3,000; and for employees' building, \$14,000; in all, \$127,000: *Provided*, That after June 30, 1931, the Fort Sill Indian School shall be transferred from the jurisdiction of the superintendent of the Kiowa Agency to the Commissioner of Indian Affairs.

While we are satisfied that if the Fort Sill Indian School is to be continued indefinitely, the plant must be overhauled and enlarged, in view of the following memorandum furnished the House conferees by the Commissioner of Indian Affairs, we did not feel we could agree to that program at this time, and the Senate receded:

Available reports indicate real needs at the Fort Sill and other schools located in that general region, but information so far obtained would seem to favor a public school rather than a boarding-school policy. This amendment would provide considerable improvement at this institution which would imply a permanence that we are not ready to concede pending a careful investigation of the living conditions and educational needs of the Indian children. In this connection we have noted the statements made on the floor of the Senate concerning the inadequacy of facilities and the necessity for expansion. So far as we have been able to ascertain, the Indians in this locality are within comparatively easy reach of public schools, and we feel that money expended for public-school attendance would be wiser than money spent for the enlargement of the Fort Sill plant. Before making definite recommendations concerning this proposal, we feel that further facts must be developed. Surveys have been made at several jurisdictions, but we have not yet been able to investigate the situation at Fort Sill.

The proviso beginning in line 10 is without legal meaning and is apparently for the purpose of establishing this institution as a nonreservation school to receive in the future specific appropriations. All Government Indian schools are under the jurisdiction of the Secretary of the Interior and the Commissioner of Indian Affairs, and it is customary to have schools on the reservations administered through the agency superintendent. The Indian Office is attempting to place qualified principals in charge of the schools and to give them a larger responsibility than they have had heretofore. This school is properly classed as a reservation boarding school.



## VINDICATION OF HERBERT J. HAGERMAN

## Amendment No. 58 reads as follows:

*Provided*, That no part of the moneys appropriated by this act shall be used for the payment of the salary or expenses of Herbert J. Hagerman, designated as special commissioner to negotiate with Indians, Santa Fe, N. Mex.

The adoption of this amendment in the Senate was based upon serious charges against the integrity of Mr. Hagerman.

Those charges were based upon an entire misunderstanding of the facts of the case and upon gross misinformation, and did grave injustice to a highly respected and highly deserving official of the Indian Service. In view of the wide publicity given these charges and the injustice done Mr. Hagerman, I present the following memorandum furnished to me by the Commissioner of Indian Affairs and the letter referred to therein to the Commissioner of Indian Affairs from Mr. Hagerman, presenting a direct reply to the charges made:

We are amazed at the introduction of this amendment, which can only be explained by ignorance of the facts. If agreed to it will prohibit the employment of H. J. Hagerman, who is now designated as special commissioner to negotiate with Indians. Mr. Hagerman was appointed as special commissioner in 1923 and was designated as commissioner to the Navajo Tribe. Subsequently, following the passage of the act creating the Pueblo Lands Board, he was appointed as personal representative of the Secretary of the Interior on that board, and he has served continuously since his appointment with ability and fidelity. His general knowledge of conditions in the Southwest has been of great value in connection with the work of the Pueblo Lands Board, and until the work of that board is completed he should remain a member thereof.

In addition, Mr. Hagerman has, by direction of the Secretary and commissioner, without any additional compensation, devoted much time and thought to all the various groups of Indians in the States of New Mexico, Arizona, Colorado, and Utah, but especially to the Navajos, who have requested in council that he be designated as the representative of the department at their council meetings. Accordingly Mr. Hagerman has worked out consolidation of their lands, enlargement of their boundaries, development of their water, and other natural resources.

For efficiency and expediting action many administrative details affecting the Southwest have been referred to Mr. Hagerman from Washington, and he coordinates the activities of the 20 superintendents in the Southwest along the general policy lines adopted by the Indian Service.

The adoption of this amendment would not only embarrass the work resulting from the findings of the Pueblo Lands Board, but it would interrupt the program outlined for acquiring additional areas of land for use of the Navajo Indians and would retard our efforts of decentralization undertaken in this section of the country.

It should be said that in Mr. Hagerman's dealings with the Navajos, with the Pueblos, and with other tribes in the Southwest, he had been most satisfactory to the Indians and all concerned. He has been inspired by high ideals, and his work is of great value to other administrative officials, both in the field and in Washington. Mr. Hagerman has read the comments made upon the floor of the Senate on January 21, 1931, and there is attached hereto a copy of a letter addressed to the Commissioner of Indian Affairs under date of January 24, 1931, and signed by him, showing that the statements made as to the sale of oil leases are without foundation and the implications as to Mr. Hagerman's honesty are absolutely unwarranted. This letter should be made a part of the permanent record.

JANUARY 24, 1931.

The honorable the COMMISSIONER OF INDIAN AFFAIRS,  
Washington, D. C.

SIR: On page 2829 of the CONGRESSIONAL RECORD of January 21, 1931, Senator FRAZIER in an attack on me supports an amendment to eliminate my salary from the Indian appropriation bill. This was in the course of a general attack on the Indian Service.

His first statement is:

"There is a duplication in many of the appropriations for the Indian Bureau. In this particular instance there is an appropriation out of the northern Pueblos' fund of \$6,500 for the salary for Mr. Hagerman, and \$2,500 for expenses as a sort of superintendent for a tribe in New Mexico and Arizona. There is a superintendent there who has the same duties to perform over the same territory."

This is incorrect. There is no superintendent who has the same duties to perform over the same territory. There is no duplication of duties and the reason for assigning me to these duties has been defined in the following circular of the department:

"SUGGESTIONS FOR COOPERATION BETWEEN THE FIELD DIVISIONS AND THE SPECIAL COMMISSIONER TO THE SOUTHWEST

"In order to relieve the Washington office of many details and to increase efficiency, more responsibility has been thrown on the field force and in the Southwest many of the field details are cleared through the special commissioner to negotiate with the Indians, with headquarters at Santa Fe, N. Mex. This special commissioner, assisted by one of the field supervisors, has general supervision over the work in the States of New Mexico, Arizona,

Colorado, and Utah, reporting to Washington on all questions of policy." Report of Commissioner of Indian Affairs, 1930.

"Feeling the need for a clearer understanding between those responsible for field programs and the special commissioner to the Southwest, a conference was held in the Washington office, attended by the following: Governor Hagerman, Doctor Guthrie, Major Post, Messrs. Kinney, Shipe, Daiker, and Lansdale. The following suggestions resulted from this discussion of mutual relationships.

"1. It will be found advantageous to take up new programs contemplated for any part of the Southwest with the special commissioner before they are sold to the field personnel, the Indians, or the general public. This may be done through correspondence, visit to the special commissioner by the district officer, or by a specialist from the Washington office. The special commissioner will in this way be able to create favorable public opinion for the new program.

"2. Carbons of all letters from the Washington office on matters of policy concerning jurisdictions in the Southwest should be sent to Governor Hagerman.

"3. Field employees writing to the Washington office on matters of policy should send carbons of such letters to Governor Hagerman.

"4. The special commissioner will send to the Washington office carbons of all correspondence on major issues which he carries on with jurisdictions in the Southwest.

"5. The special commissioner may frequently be able to assist in ironing out personnel difficulties in his district, if they are brought to his attention.

"6. All matters which involve more than one jurisdiction in the Southwest should be cleared through the special commissioner in order to facilitate coordinated effort.

"7. The special commissioner is in a peculiarly favorable position to hold conferences on matters affecting the Southwest. (It was brought out that most policy conferences, even though originating in one division usually concern more than one branch of the service and, therefore, if the special commissioner calls a conference for the division particularly affected, the cooperation of other workers is more likely to be secured.) As a central person the special commissioner is also more quick to the broader ramifications of any particular subject.

"8. Plans for the future, particularly those involving construction, should be cleared through the special commissioner to secure other angles on particularistic questions. (Governor Hagerman pointed out that plans for building new school plants at Leupp and Shiprock must involve both water control and health considerations.)

"9. Where possible, the various field units in the district should consult with the special commissioner in advance with regard to their budget plans, proposals, and estimates. At least he should be informed about such plans.

"10. For purposes of information and for the additional light which he can shed, the special commissioner should be kept in touch with personnel changes affecting the major administrative officers in the Southwest—mainly superintendents—including investigations which are contemplated and, when possible, the review of findings of investigations.

"11. Matters affecting public relations—States, business concerns, the press, etc.—in the Southwest should be brought to the special commissioner's attention before administrative action is taken, if possible.

"12. The special commissioner and his assistant are ready to help on matters in the district where their aid may be sought.

"13. The special commissioner plans to have an office for traveling officials to use as a headquarters in Santa Fe. District supervisors and emissaries from the Washington office are urged to consult with Governor Hagerman when in the vicinity.

"14. Since the Southwest has been recognized as a logical administrative unit through the establishment of a special commissioner, more of the divisions may find it desirable to have a district representative having a territory closely coterminous with the province of his activity.

"15. The special commissioner in no way wishes to be a czar in the district. The sole reason for the establishment of the position has been as a means of integrating the work of the Indian Service in this district by pulling together the various divisions, by getting the agencies to think and act together, and by developing working relationships between the service and outside groups.

"16. While the special commissioner has a general range of activity, he is especially enjoined to coordinate and plan for land purchases, exchanges, and additions. Hence all details concerning these matters should go to the special commissioner's office, as well as to the Washington office.

"17. When interjurisdictional or interdivisional disagreements or misunderstandings are in the air, superintendents should, where practicable, take up the matter with the special commissioner so that the matter may be ironed out, if possible, before it becomes a matter of record in the Washington office."

There are approximately 75,000 Indians in the district, including the Navajos, the Pueblos, the Mescaleros, the Jicarillas, the Utes, the White River and San Carlos Apaches, the Papagos, the Pimas, the Mojaves, the Salapais, the Havasupais, and other smaller groups. There are approximately 17,000,000 acres of Indian land in the district and 20 different agencies.

Mr. FRAZIER refers to my dispute with President Roosevelt when I was Governor of the Territory of New Mexico in 1906, 25 years ago. I was appointed by President Roosevelt, and after a year and a half in office resigned. The circumstances are now a mat-



ter of history, and I am quite willing to stand on the record, which can be found in the Congressional Library. Since then I have been appointed to public positions by five different governors and four different Secretaries of the Interior. I was for two years chairman of a special revenue board of New Mexico which drafted a plan for the financial administration of the State, most of which has been adopted. I have for 13 years been president of the New Mexico Taxpayers' Association—which is probably the most useful nonpolitical organization we have there—and for a time was president of the Western States' Conference. Outside of these public activities I have been minding my personal business. I was appointed in 1923 as special commissioner to negotiate with Indians and designated as commissioner to the Navajo Tribe. Some oil had been discovered on the Hogback Dome by the Midwest Oil Co., situated on Navajo treaty land near Shiprock in northwestern New Mexico. Other areas in the vicinity promised oil. In order to deal legally, regularly, and fairly with the Indians, and in strict accord with existing laws and regulations, I was asked to coordinate the Indians of the six Navajo jurisdictions and organize them into a tribal council. This was done. Copy of the regulations under which this council was organized is attached. The first council was held at Toadlena on July 7, 1923. The Indians granted authority to lease certain of their lands for oil. Under the laws and in accordance with the regulations in force, and after much preliminary work in the field by myself and my assistants, an auction of six leases in the Shiprock area was held at Santa Fe on October 15, 1923. All applications for granting leases under any other terms than by auction were rejected by Secretary Work, and in the circular of August 29, 1923, definite instructions as to the sale were given and were strictly carried out by me. Full notices of the sale were mailed throughout the country. There was a large attendance. The most experienced oil auctioneer in the country was engaged to conduct the sale.

The total bonus realized at this sale was \$87,600 which was considered very good on what was practically wildcat territory. A lease on the Tootie Dome brought \$46,000; one on the Table Mesa \$17,500. The two other exploratory leases, namely, the Rattlesnake and the Beautiful Mountain, brought only \$1,000 each. Thirteen thousand nine hundred dollars was paid for some smaller leases. None of these leases except the Rattlesnake and the Table Mesa have ever produced any oil. The most valuable one, as it turned out afterwards, was the Rattlesnake, as reported by Mr. Frazier. It was with difficulty that the auctioneer induced anyone to bid on it at all as the geologists generally pronounced against it. It was, however, sold, as stated above, for \$1,000, and upon development proved to be a very excellent structure, and it is true that some years afterwards a half interest in the lease was sold to the Continental Oil Co. for a large sum of money after the transaction was carefully examined by the Department of the Interior. Thereafter the lease was further developed and large sums have been spent thereon for pipe lines and equipment.

The shallow sands on the Rattlesnake are good for 1,000 to 1,500 barrels a day of high-grade oil. The deep Pennsylvania sands at 6,800 feet may be good for much more although they now produce only about 400 barrels. The Table Mesa is producing from three to four hundred barrels; the Hogback between five and six hundred. The district is all in all a small operation but of considerable financial benefit to the Indians. It is economically and efficiently managed. More so, probably, than any small district in the United States. There is little or no waste of either gas or oil.

Up to January 1, 1931, those leases have produced in bonuses and royalties for the Navajo Indians \$960,420.38. No one has ever questioned the regularity or honesty or the advantage following my handling of those operations, least of all the Navajos themselves. The tribal organization of the Navajos has since been carried on to their great advantage. With the exception of the year 1923, I have conducted the annual meetings of the tribal council. The Navajos themselves have asked the commissioner that I be continued in this task until their organization plans are developed. Through this council and its resulting activities the Navajos have made greater advances toward unified endeavor, industrial education, and social progress, as well as real cooperation, with the best that the office and the Congress is trying to give them, than any other group of Indians in the United States. One of their main desires has been the solidification and rounding up of their land holdings for grazing and, where possible, for agricultural purposes. They have insisted that their tribal funds should be spent mainly for capital assets in the way of land. I have done what I could to help them in this endeavor. The present administration has ordered that oil funds be so spent. Out of the moneys so far received, Congress has authorized the expenditure of \$860,000 for various purposes, and only a comparatively small part of it has been used for land purchases. Without coordinating supervision of these Indians it will be difficult to secure continued cooperation with them in respect to these many essential matters.

I have been especially enjoined by you and Secretary Wilbur to carry on a program for rounding out these Navajo Indian lands on the lines which the Indians desire and which will be acceptable to the States of Arizona, Colorado, New Mexico, and Utah. To do this takes much time and patience, but on the whole the office is being very successful in this work. In cooperation with congressional Representatives from these States much is actually in process of accomplishment. In evidence of this I would refer to Senator HAYDEN, Senator BRATTON, and Congressman COLTON, with whom we have been especially cooperative.

There are numerous other questions involving interjurisdictional matters of much importance to the department and to the Indians which I have been particularly instructed by the office to try to work out. One is the Pima-Papago situation with which you are fully familiar.

Mr. FRAZIER says in his opinion that I am a political fixer for the Indian Bureau in Arizona and New Mexico. There is no ground whatever for such a statement. Again it is stated: "Hagerman tried to organize some kind of a council among the northern Pueblos and failed to do so." I did call such a council of all the Pueblos, both northern and southern, some years ago, upon definite instructions from Washington to do so. For the first time in history all of the governors of all of the Pueblos were present. Something was accomplished, but these various groups of Pueblos do not easily act in common and much time and patience is needed to coordinate their activities on helpful lines. They actually have few common aims in spite of their racial and cultural similarities and like much better to act independently, due to the fact that each Pueblo group is a separate entity with its own organization and property interests. The Government is glad to encourage the Pueblos to meet in any way they see fit as long as they act legally and intelligently. The \$300 for possible expenses for another council is, as I understand it, to be used in case it is found necessary to secure their united sanction for some common object.

Senator KING is misinformed when he states: "Mr. Hagerman tried to get them to organize a new council. The chiefs came and listened to his statements and refused." The chiefs or delegates did come to the council. They did not refuse to organize. On the contrary, they did organize and elected a chairman. There was no dissension or disorder. At the subsequent council they elected another chairman. These Indians themselves are not antagonistic to councils. They are merely rather indifferent to inter-Pueblos councils.

Nothing whatever is said in the discussion on the Senate floor about one of the main lines of work in which I have been engaged as part of my duties since 1924, that is, as a member of the Pueblos Lands Board, created under act of Congress approved June 7, 1924. I was first designated on this board as the representative of Secretary Work, then of Secretary West, then of Secretary Wilbur. I have sent in my resignation on the incoming of each Secretary and have been asked to continue. The board is composed of the Secretary of the Interior, the Attorney General, and an appointee of the President. In the field the Attorney General has been represented by Mr. Jennings and the Secretary of the Interior by me. The board's work is still going on, though near completion. I have done my share of work on the board from the beginning. The law is extremely complicated and the duties of the board infinitely detailed and complicated. We have passed on 5,532 adverse claims in 22 different pueblos, each claim involving hearings in the field, examination of abstracts, and in the aggregate much consideration and study. Many other questions besides that of title have been before the board for decision, including awards, compensations, recommendations as to the use of lands and of the money awarded by Congress. While the work of the board as a whole has been nearly finished, there is still a vast amount of business in connection with the aftermath of the board's findings, which is the specific duty of the Secretary of the Interior and the Indian Office to attend to; matters of much importance to both Indians and non-Indians in the affected districts. You have asked me to arrange for and to conduct these matters, and I am doing so.

For Mr. FRAZIER's informant to fail to mention this phase of my work is, at least, disingenuous.

The above brief statement is submitted for your and the department's information and because I do not propose to allow the record as left by Senator FRAZIER to stand uncontradicted.

I am, sir,

Respectfully yours,

H. J. HAGERMAN.

I present also the following expressions with reference to the service of Mr. Hagerman from those well qualified to speak:

JANUARY 25, 1931.

Hon. LYNN J. FRAZIER,

Senate Office Building, Washington, D. C.:

This association protests strongly against your amendment to appropriation bill which appears on page 2778, CONGRESSIONAL RECORD, January 21. Our field information is that Hagerman is doing vital constructive work in New Mexico, Arizona, Utah, and Colorado, which is invaluable to Indians. He is carrying on this work with conspicuous energy, intelligence, and uprightness. In no way duplicating work of other officials. Your statements lead us to believe you have been seriously misinformed.

A. E. WHITE,

Secretary Eastern Association on Indian Affairs.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE PUBLIC LANDS,  
Washington, D. C., January 28, 1931.

Hon. LOUIS C. CRAMTON,

Chairman Appropriations Subcommittee,

House of Representatives, Washington, D. C.

DEAR MR. CRAMTON:

Without doubt this statement must have been made from an astounding ignorance and misinformation of the work performed



by Mr. Hagerman and the character of his services. A storm of disapproval has occurred in New Mexico, and my office has been flooded with telegrams, newspaper editorials, and a resolution passed by the State Senate of New Mexico protesting unequivocally against the action and against any criticism of Mr. Hagerman's distinguished work in behalf of the Government and in behalf of the Indians.

I personally have known Mr. Hagerman for 20 years as one of the most distinguished, careful, high-minded, and absolutely discreet and faithful public servants in the United States. I have the kind of confidence in his fidelity that I repose in but few men. I give it as my unqualified opinion that the Government does not have on its rolls a public servant more devoted to the public interest than is Mr. Hagerman.

I protest against the elimination of the item above referred to, and I request that the conferee reinsert it in the Interior Department appropriation bill and that they refuse to recede from this attitude.

Yours faithfully,

A. G. SIMMS.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D. C., January 26, 1931.

Hon. LOUIS C. CRAMTON,  
House of Representatives, Washington, D. C.

MY DEAR MR. CRAMTON: I have received the following wire from the superintendent of the Leupp Indian Agency:

"Leupp Navajo Indians appreciate all assistance received from Governor Hagerman and wish him retained in office. Your help will be greatly appreciated in carefully considering his case."

I shall greatly appreciate it if you will urge in conference that amendment 58, page 63, line 13, be eliminated from the Interior Department appropriation bill so that Mr. Hagerman's services may be continued.

I attempted to get in touch with you this morning by phone but you were in committee meeting, and therefore I am writing this letter.

I shall greatly appreciate your efforts in this matter.

With best wishes, I am yours very sincerely,

L. W. DOUGLAS.

Mud of the typically Collier brand, always recognizable. All the Southwest knows at close range of the patience, industry, persistence, common sense, and devotion of Mr. Hagerman as member of the Pueblo Lands Board and commissioner to the Navajos.

Perhaps no other man has had as much success in bringing about cooperation of Government and Indians and getting intelligence into the Government modus operandi. And hence this bold attack from the Collier outfit was inevitable. But tremendously disgusting and inclusive of dreams so quaint as to be undoubtedly due to gross senatorial ignorance. (From editorial in the New Mexican, Santa Fe.)

SANTA FE, N. MEX., January 26, 1931.

Hon. ALBERT G. SIMMS,  
House of Representatives, Washington, D. C.:

No duplication between job of local superintendents on reservations and Hagerman's job as general commissioner of southwest Indians. Government Pueblo Council subject to call by Indian Bureau has had three meetings; no effort has been made to stop Pueblos from holding as many private councils as they wish. Government Pueblo Council held to give Indians chance to have direct contact with Government officials and state their needs. We earnestly request that you examine oil leases, etc., and do all you can to support Hagerman, who is doing extraordinarily fine, constructive work for Indians in this State and in Southwest. Situation involving man of Hagerman's known character and unquestionable integrity calls for immediate action.

EXECUTIVE COMMITTEE NEW MEXICO  
ASSOCIATION ON INDIAN AFFAIRS,  
ALICE CORBIN HENDERSON, Acting Chairman.

ALBUQUERQUE, N. MEX., February 5, 1931.

Hon. L. C. CRAMTON,  
House Office Building, Washington, D. C.:

Please be advised that the following resolution—

"Believing that the administration of Hon. Herbert J. Hagerman, an honored and respected citizen of New Mexico, as commissioner to the Indians has been characterized throughout by justice, square dealing, and fair play, and resenting the unjust and unjustifiable attack recently made upon him and his administration in the United States Senate: Now, therefore, be it

"Resolved by the New Mexico Wool Growers' Association in its Twenty-eighth Annual Convention, assembled at Albuquerque on February 5, 1931, That we regret to learn of the attack made upon Mr. Hagerman in the United States Senate relative to his administration as the representative of the Federal Indian Service for the Navajo, Pueblo, and other Indians. The members of the association, both individually and collectively, are thoroughly familiar with conditions relative to Indians in New Mexico and the services rendered by Commissioner Hagerman in connection with the administration of their affairs. In our opinion, Mr. Hagerman has obtained more practical benefits for the Indians

than any other agent heretofore representing the Government. His services have not only been capably performed, but likewise on the basis of good conscience seeking the objective of bettering the condition of the Indians and his ultimate civic and economic independence. His efforts toward eradicating disease, promoting health, and improved sanitary conditions among the Indians have been conspicuous for their success. This association and the citizens of the State generally have every confidence in the integrity and ability of Commissioner Hagerman. It is generally believed that the basis for the charges now pending have been instigated and promoted without foundation in fact by a professional trouble-maker, Mr. John Collier, who would substitute for the Indians an unofficial supergovernment for the Federal control now existing. We would view as a grave mistake any step seeking to embarrass or curtail Mr. Hagerman in the splendid work which he is now doing for the Indians"—

was unanimously adopted by a rising vote in convention New Mexico Wool Growers' Association. The resolution is respectfully submitted to you for your consideration and reference as you may recommend.

FLOYD W. LEE, President.

EMPORIA, KANS., January 29, 1931.

Hon. LEWIS CRAMTON,  
Member of Congress, Washington, D. C.:

I am interested and surprised at the menace which has developed in your Subcommittee on Appropriations affecting salary Herbert Hagerman, special commissioner negotiate with New Mexico Indians. Hagerman is man of unusual qualities—honest, competent, and highly esteemed. Senator FRAZIER has been misled in making the charges which are recorded in the CONGRESSIONAL RECORD recently. Senator FRAZIER's honesty can not be questioned. His sources of information, however, are not reliable, and I earnestly request that appropriation affecting his salary not be eliminated from your committee report. As I live West, I think I know something of situation.

W. A. WHITE.

SANTA FE, N. MEX., January 24, 1931.

Hon. ALBERT SIMMS,  
House of Representatives, Washington, D. C.:

Everyone knowing facts resents unjust attack Hagerman. I was present at auction sale. Tocco structure brought 46,000. Two dry holes drilled. Table Mesa, 18,000, first well dry. Rattlesnake offered four times, no bidders. Field bid for joke; tried hard back out. Surprised everyone when oil found. Push fight; get false statements corrected. New Mexico with you.

F. S. DONNELL.

The State Senate of New Mexico promptly adopted resolutions denouncing the charges in very strong terms, and demanding that action be taken "in order that justice may be done to former Governor Hagerman, who is looked upon by the Senate of New Mexico as a man of the highest character, whose integrity has not been questioned in this State."

The action of the conferees in agreeing upon the rejection of the Senate amendment may well be regarded as a complete and well-deserved vindication for Mr. Hagerman.

UNITED STATES ALL-PUEBLO COUNCIL

Amendment No. 75 reads as follows:

Provided, That no part of any sum herein appropriated shall be used to pay the expenses of the so-called organization known as the United States All-Pueblo Council.

In view of the following statement from the Commissioner of Indian Affairs, we did not believe action should be taken to prevent the continuance of the United States All-Pueblo Council:

The purpose of this provision is to prohibit the use of any money for expenses of the United States Pueblo Council, an organization which was first called together in 1927. At that time considerable agitation existed among the several Pueblos in the State of New Mexico and a council was in existence which represented one faction of the Indians. The other faction in the Pueblos were receiving no special consideration. Therefore plans were made for the calling of the United States Pueblo Council to be conducted for the benefit of all of the Pueblos and efforts were made to have members of both factions attend and, if possible, to adjust their conditions. The council was in session for two full days and many matters were presented. The following year another session of the council was held and we feel that considerable good was accomplished as a result of these meetings. However, since the present commissioner and assistant commissioner have been in office we have not seen the necessity of calling the council in session. In preparing the budget for the Northern Pueblos jurisdiction for 1930 a sum of \$300 was set aside for the expenses of the council in case we found a reason to call the council together. No session was held and no expenditure was made. A similar amount was tentatively allocated for the present year, but to date we have had no occasion to expend any sum for this purpose. Money so allotted to the superintendent of the Northern Pueblo Agency and not used for council expenses may be used for other expenses of the agency with headquarters



at Santa Fe. While we see no immediate need for calling these Indians together, it may be that at some future date a session of the council may be desirable and for the purpose of meeting the expenses of the Indians attending a small sum would be required. In any event sessions of this council are open to members of any faction which may exist in the Pueblos.

#### TOPOGRAPHIC MAPPING

As to amendments No. 79 and No. 80, topographic mapping: In the topographic mapping of the United States, a policy has been in vogue for a number of years for cooperation between the Federal Government and States or interested municipalities in carrying much of this work. At the same time the mapping of national forests in the public domain generally is carried on at the sole expense of the Federal Government. There was for a time considerable complaint on the part of State authorities that the Federal Government did not make appropriations sufficiently large to carry forward this cooperative work as rapidly as the States desired and were prepared to contribute. Several years ago the matter was gone into with some care and our committee definitely adopted the policy of making appropriations for this cooperative work in topographic mapping sufficiently large to fully meet the conservative estimate of the Geological Survey as to the amount of State and other cooperative funds likely to be available. Since that time, regardless of the Budget estimates, we have every year made available funds adequate to fully meet all State and municipal cooperation.

It happens that the current year, because of litigation in one of the States, the amount appropriated for cooperative mapping will not all be used. It is the purpose of the Senate amendments to make this amount so lapsing in the cooperative appropriation available for use in the noncooperative projects. Since the amount appropriated for noncooperative projects is not determined at all by the amount appropriated for cooperative projects, and since the policy so definitely established is to appropriate for cooperative projects as much or as little as may be adequate to meet cooperative funds offered by States and municipalities, it does not seem a wise policy to provide for diversion to noncooperative projects of lapsing appropriations for cooperative projects, and the Senate has receded upon these amendments.

#### ALASKA RAILROAD

Amendment No. 138, relating to the Alaska Railroad: As the bill left the House it provided an appropriation of \$1,000,000 for the Alaska Railroad, of which \$800,000 was an operating deficit and \$200,000 for capital expenditures. The paragraph pertaining to this appropriation as modified by the Senate amendments, 138 and 130, provides that of the appropriation of \$1,000,000, \$250,000 shall be available only for capital expenditures and not to exceed \$250,000 shall be available for continuation of the investigation of the mineral and other resources of Alaska to ascertain the potential resources available which will affect railroad tonnage, leaving \$500,000 available as an operating deficit. The theory upon which those amendments were presented and the attitude of the Secretary of the Interior with reference to them is set forth in the following memorandum furnished the House conferees by the office of the Secretary of the Interior:

This amendment was adopted by the Senate on the motion of Hon. R. B. HOWELL, chairman of the Special Select Committee of the Senate on Investigation of the Alaska Railroad, and conforms to recommendation No. 4 on page 10 of the report of the committee, submitted to the Senate on January 5, 1931, stated as follows:

"(4) That passenger rates be increased from 6 to 10 cents per mile, together with a revision of freight rates so as to provide at least 50 per cent more revenue, as an average, on all freight handled than can be obtained under the schedule of freight rates now in effect, and that the \$1,000,000 appearing in the pending appropriation bill of the Interior Department be allocated as follows: \$500,000 to cover deficit in operation, \$250,000 for the investigation of mineral and other resources of Alaska to ascertain the potential resources available which will affect railroad tonnage, and \$250,000 for improvements chargeable to capital account."

Concerning the said amendment and the further amendment relating to the amount to be available only for capital expendi-

tures, striking out the amount of \$200,000 and substituting \$250,000, attention is invited to department letter of January 3, 1931, to the chairman of the special select committee, reading as follows:

"Referring to the call of your committee this morning, when I had an opportunity to read your proposed report on the Alaska Railroad, I have to advise that in accordance with the unanimous conclusions of the committee I will order a revision of the rates of the railroad to provide an increase in passenger fares to 10 cents from 6 cents per mile and to produce an average increase of not less than 50 per cent in freight rates. These increases are in practical accordance with those in recommendation No. 4 in your proposed report.

"It is estimated that these increases would have produced additional revenue, based on the traffic of the fiscal year 1930, of \$143,296 in passenger revenue and \$359,705 for freight, a total of \$503,001. It is expected, however, that because of the increase in rates there will be a reduction in business during the fiscal year 1932; consequently, the estimates just given will be correspondingly reduced. What the factor of reduction will be it is difficult to say at this time, but perhaps it will be not less than 10 per cent of the total passenger business and 20 per cent of the total freight business.

"According to our understanding this morning, the \$1,000,000 carried in the appropriation bill for the Interior Department in 1932 should be amended to compensate for the additional revenue expected from the rate increases. It is believed that \$500,000 will cover the deficiency for the fiscal year 1932 under the new rates. The balance of the \$1,000,000, however, is urgently needed in the administration of the railroad and the development of railroad business in the Territory. The limitation for capital expenditure in the present appropriation bill is \$200,000, but an increase of \$50,000 is suggested for the more economical operation of the railroad due to further improvements chargeable to capital account, making in all \$250,000 for capital expenditures. The remaining \$250,000 should be allocated to an investigation of mineral and other resources in the territory tributary to the Alaska Railroad.

"I suggest the following amendments to the pending appropriation bill to cover the foregoing plan:

"Provided, That not to exceed \$250,000 of this fund shall be available for continuation of the investigation of mineral and other resources of Alaska to ascertain the potential resources available which will affect railroad tonnage."

"Amend the proviso beginning on line 1, page 117, by striking out the sum of \$200,000 and inserting \$250,000 therefor."

Pursuant to directions given, the general manager of the railroad has already arranged for the preparation of new tariffs covering increased rates, and it is expected that they can be placed in effect at an early date.

There is no objection on the part of this Department to adoption of the said amendment proposed by the Senate, based upon the increases to be made in the freight and passenger rates of the railroad.

There is grave question in my mind as to whether the investigation which has been made has been sufficient to justify Congress in attempting to fix rates upon the Alaska Railroad or whether the effect of the stated increase of rates will be to cause as great an increase in gross earnings as is anticipated. Further, there is grave question in my mind whether the marked increases in rates proposed by the Senate investigating committee are in harmony with the Alaska development policy, to serve which is the chief end of the Alaska Railroad. The responsibility in this connection is upon the Secretary of the Interior to fix rates and administer this railroad. If Congress is to intervene and prescribe the rates and the policies to be followed, it should be by legislation enacted in the regular way by both Houses of Congress rather than through rules from an investigating committee representing only one branch of Congress.

In this case, however, when the matter came up in conference the memorandum above shows that recommendations of the Senate committee had been accepted and put into effect by the Secretary of the Interior. In view of these circumstances, it has seemed to us proper to accept the program suggested by the Senate investigating committee and agreed to by the Secretary of the Interior, and await results.

The gentleman from Colorado [Mr. TAYLOR], the ranking minority member upon the subcommittee, has advised me that he desires some time. How much time should I yield to the gentleman in order that he may take care of his requests?

Mr. TAYLOR of Colorado. I yield 10 minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. CRAMTON. The gentleman understands, of course, that within the hour I have the right to move the previous question. I have no requests for time on this side. I will,



of course, yield to the gentleman such time as he needs up to 30 or 40 minutes.

Mr. TAYLOR of Colorado. I will say to the gentleman that I am trying my best to suppress, you might say, argument upon this report. A number of gentlemen, however, feel they must say something on this subject, and I have said to them that I would endeavor to get an opportunity for several of them, at least, to have five minutes. I expect to yield to Mr. BYRNS, of Tennessee, and I will cut the time as short as possible.

Mr. CRAMTON. Suppose I yield the gentleman 30 minutes, and if he has to have more time I will try to accommodate him.

Mr. TAYLOR of Colorado. That will be perfectly satisfactory.

Mr. CRAMTON. Mr. Speaker, I yield 30 minutes to the gentleman from Colorado, to be used by him as he desires.

The SPEAKER. The gentleman from Colorado [Mr. TAYLOR] is recognized for 30 minutes.

Mr. TAYLOR of Colorado. I yield 10 minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS. Mr. Speaker, I have asked for this time simply because of what I have heretofore had to say on this subject. I am going to vote for this conference report. Since the Senate has accepted this report as an alleged compromise and since it has finally met the views of the leaders upon the other side, greatly in the majority, to vote against this report would be equivalent to voting against anything for the relief of those who are suffering in the drought-stricken areas.

Of course, we must all recognize that this bill affords relief only to those who can furnish, as the Secretary of Agriculture says, adequate security, or which he deems to be adequate, whatever that may be, for such loans as they may desire, and thus enable them—with what they will doubtless be able to secure from other sources—to supply those who are dependent on them and who live upon their plantations or farms. However, thousands of people who are not so fortunate as to have the help of those who can secure these loans will be deprived of any relief through this source and must, as has been repeatedly said, look to the Red Cross for support and for maintenance until they are able to provide for themselves.

I am not going into any discussion of the merits of this matter, but I have been wholly unable to reconcile the opposition to the original Senate amendment on the ground that Congress should not provide for the suffering, in view of the fact that pages of the CONGRESSIONAL RECORD could be filled with citations of bills that have been passed since 1812 giving food to those in foreign countries when an emergency arose. This is a national emergency, which Judge Payne, of the Red Cross, said was equal to that of any ever created by war. I know it has been claimed this is a dole. This is the first time such an objection has been made to an appropriation of this kind. To show the inconsistency of the opposition to this bill let me again say that such an objection was not made when Congress appropriated \$100,000,000 for starving and suffering people in Europe. We heard no such objection when Congress provided \$20,000,000 to buy food and over \$4,000,000 in supplies for the starving women and children suffering on account of drought in Russia, and when \$10,000,000 was voted by the House for the relief of starving women and children in Germany. We have numerous records of relief given to our own citizens, and no question was ever raised as to its being a dole.

Why, there was not a Member of this House on either side who did not, a few days ago, vote money to be paid out of the Treasury for the home care of dependent children under the age of 16 years, here in Washington, at an average rate of \$17.89 per month, and no suggestion was then made that we were voting a dole to anybody. You voted for a provision which gave to the wives of men who are sent to the workhouse because of nonsupport of their families, 50 cents a day or \$15 a month.

Now, the President and the Secretary of Agriculture say that these people who are suffering in these drought-stricken areas and who can not offer security for a loan must depend upon the Red Cross. I yield to no one in my admiration of what the Red Cross has done in the past and is attempting to do now, but when we are told by the head of the Red Cross that for one reason or another it is unable to provide more than \$2 per month per person, when Congress is appropriating \$17.89 for a dependent child and \$15 a month for the wife of a man who is sent to the workhouse, I can not think the Red Cross is furnishing adequate support to those in the drought-stricken areas. For this reason I have felt we ought not to deny relief to them at this time.

You talk about a dole. Did you know that for months the Government has been feeding more than 400 people in the Samoan Islands? Over 400 people in the Samoan Islands, deprived of their food supply by a typhoon that occurred over there, are being fed to-day by the Navy Department. You are also feeding people in the Virgin Islands to-day through the Navy Department, and yet when we come here and ask for relief for the people in the drought-stricken areas, who have no one else to appeal to except their Government, under whose flag they live and to which they give allegiance, we tell them, "We can not give it to you because it is a dole."

Now, this is all I have wanted to say. I am going to vote for this report. I am going to vote for it because it will give some relief to some of the people in these drought-stricken areas and, perhaps, enable the Red Cross to increase the stipend which it is now giving to those who are not able to furnish security and who, we all know, need this relief more than any of the other people who are involved.

I am sorry we were not able to pass the amendment of the Senate as it was originally proposed. It was not establishing a dangerous precedent, because we all hope there will never be another national emergency like this. But if such an emergency should again occur then it would be a humane precedent which future Congresses should follow. I regret that the Senate yielded. I am sorry it struck its flag and surrendered because I believe the original proposal amounted simply to this Government becoming a contributor to the great American Red Cross in order to enable it to carry on its merciful and humane work for the relief of millions in the cities and in the country who are to-day suffering for lack of food in this the greatest national emergency this country has ever faced in times of peace. [Applause.]

Mr. TAYLOR of Colorado. Mr. Speaker, I yield five minutes to the gentleman from Arkansas [Mr. RAGON].

Mr. RAGON. Mr. Speaker, ladies, and gentlemen, I want to discuss this matter for a few minutes because I think there is some misunderstanding as to the terms of the present provisions as I have studied them and gathered them from the debate in another body.

I think this bill will meet the demands of most of the people, if a fair and sympathetic construction is given by those who will have its administration in their hands. I do not wish to qualify this statement in any particular. I am convinced from what I have seen, and know from written communications of those in authority, that we will have an administration of the provisions of this compromise which will be effective.

I know many people have apparently been concerned greatly with the term "rehabilitation." Many have been disturbed over what is meant by "security" as written in this bill. I think if you will take the background of the picture of this legislation into consideration, the terms will amply explain themselves.

In the statement of the Secretary of Agriculture, made some days ago, he explained that this is to rehabilitate a broken-down credit system in these drought-stricken States. Now, so far as I am personally concerned, I have thought all along that this is the most effective legislation we could have. Now, what do I mean by this statement?

There are many men here who know the plantation system that exists in many of the States, and I say to you that



under the terms of this bill what applies to the plantation system likewise applies to the owner of a small farm. We will say here is a plantation of from 300 to 1,000 acres, and upon that plantation there may be from 40 to 100 families.

In the past they have been accustomed, usually on March 1, to receiving advances in credits from the owner of the land. He either made the advance through a commissary that he owned himself or he made it through some merchant in the city where he traded, and at the end of the crop season, when the crops were gathered, then the plantation owner and the tenants came together in their settlement between themselves and with the merchant. What has now happened down there is this: Men that I know two or three years ago were worth from one-half million to one million dollars are to-day broke just as flat as they can be. Others of them own these farms but they can not borrow money with which to supply the demands of the tenant, who must rely upon the landowner. Here is the crux of the situation: Banks are unwilling or unable to make loans to farmers and merchants, themselves often unable to borrow, can not take a mortgage second to the one held by the Government under the \$45,000,000 loan bill.

Under the terms of this bill, as I see it, the money will be provided to the landowner, and that landowner in turn will be enabled to do now what he has not been able to do in the last 60 days—supply the tenants with the provisions that are necessary to carry on the crop.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. RAGON. Yes.

Mr. LaGUARDIA. In that way are we not directly assisting a system which should be abolished?

Mr. RAGON. Well, I do not know. I would not want to be diverted by discussing the good or evil of such a system. I will say it is the only system that many people know and can get along with under present conditions, and is one that they have got along under in the past, and that is the situation to-day.

The word "rehabilitation," the President of the United States has said, will be given by the Secretary of Agriculture a fair and sympathetic interpretation under the provisions of this act. That comes from the President of the United States, directed to the Secretary of Agriculture. Now, if we can not depend on that authority, I do not know what the drought-stricken people can look to for authority.

Then, again, to supplement that, in the Senate the other day a resolution was directed to the Secretary of Agriculture, and the Secretary of Agriculture responded to that inquiry as to whether it would cover loans for food. I have not the statement before me and I can only give you the gist of it, but he gave to that resolution of inquiry an affirmative reply and said that it could.

The SPEAKER. The time of the gentleman from Arkansas has expired.

Mr. RAGON. Can the gentleman from Colorado give me two minutes more?

Mr. TAYLOR of Colorado. I am sorry but I can not.

Mr. CRAMTON. I will yield to the gentleman two minutes more.

Mr. RAGON. I say frankly that I think the provisions of this bill is what the people of the drought-stricken section of the country need to supplement the \$45,000,000 appropriation, and also the work that the Red Cross is doing. There is one thing I regret to see about the action of the Red Cross and that is the contemplated withdrawal of supplies gradually from the 1st of March. I think they will be justified in reconsidering that.

So far as I am concerned I would prefer to see the terms expressed more openly in their purpose. There has been entirely too much heat, there has been entirely too much passion over this legislation to care for the destitute and hungry men, women, and children in a dozen States in this country. There has been too much bantering. We ought not to do that; it is a reflection upon our Government. But passions have subsided, and men have come back to themselves, and I believe by March 1, under this amendment, supplies will commence to move, as the Agricultural

Department should be able to organize this service to the people by that time.

So I am glad to see it come to a conclusion at this early day, and I am glad to see no more opposition to it in the House.

The gentleman from Alabama [Mr. BANKHEAD] asks me to say something of what Arkansas has done. I think I said the other day that Arkansas began early in September to meet this situation, and I say to you that for every dollar the Red Cross has put in it has been matched by the people of Arkansas. [Applause.] If you take away the burden of administering to the dire needs of the farmers of the State you will find no suffering man or woman in any town or city in the State of Arkansas that these towns and cities can not relieve. This is due entirely to the organizations which have been formed under the wise leadership of the drought committee for that State. But the agricultural section of the State is so great the State can not handle the situation.

Mr. PARKS. Did I understand the gentleman to say that no need existed outside of the farmers in Arkansas?

Mr. RAGON. I do not understand how the gentleman could understand it in that way. I said that if you took away the burden of relieving the farmers there was not a town that could not take care of its needy people.

In addition to that there has been an appropriation by the legislature from the revenues of the State—which has necessarily greatly reduced the revenues—\$1,500,000 looking to the establishment of intermediate-credit banks. Not only that but in Oklahoma there has been \$600,000 appropriated out of the treasury of that great State looking to the relief of people suffering from the drought last summer.

I was in my district when this catastrophe first broke. It came gradually upon us like slow poison. The serious import of its effects were slowly realized everywhere, and for that reason aid was slow in coming.

Now, if you kill this bill what will we do for the hungry and suffering? Do you want an extra session? Well, if we are to have one, the President would not call it before May or June, and that would be entirely too late to save my people. I am not trying to save the face of anyone if favorable action on this provision means such, as has been charged, but I am pleading that 600,000 men, women, and children in Arkansas be given a chance to supply again their kitchens and to rehabilitate their impoverished homes and broken fortunes. Oh, let us quit talking and quarreling and act like men of reason for the sake of suffering humanity. [Applause.]

The SPEAKER. The time of the gentleman from Arkansas has expired.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield five minutes to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Speaker, ladies, and gentlemen, I shall vote for this measure because it adds \$20,000,000 to the possible relief of the drought-stricken people. As to whether it will reach them I am not sure. I congratulate the Republicans in this House and on the Committee on Agriculture and the administration for coming back to my \$60,000,000 bill, including loans for food, where we started on the 1st day of December. You have added \$8,000,000 to our program. On the 20th of October the State commissioners of agriculture held a meeting in Washington with 47 of the 48 members present or represented. They appointed a committee to cooperate with the Secretary of Agriculture to draft a drought-relief measure. After a long discussion it was agreed that \$60,000,000, including loans for food, was the minimum amount. The spokesmen of the administration heartily cooperated and helped write it. The drought chairmen that were assembled here on November 20 approved it. As far as I knew, the Republican administration to a man was supporting it until the 3d day of December, when they flopped over night and took the other side and announced that \$25,000,000 was all that could be spared. The point I make in the record is that this filibuster, as you call it, this delay, this garrulous chatter that has gone on for all this time at a cost of hundreds



of thousands of dollars in time and printing, did not originate on the Democratic side of this Congress, but did originate on the Republican side, and they have kept it going up to date. [Applause.] When it came up for consideration in the House the Republican floor leader, the gentleman from Connecticut [Mr. TILSON], gave out a copyrighted story, a long statement, and read a part of it on the floor of this House, calling my bill, the same bill the Senate has passed, a dole. The only thing that he convinced the thinking American people of was that if he knew anything about a dole he kept it a secret in that statement. The dole by the English Government provides that a man comes and gets his £5 and gives nothing in return, promises nothing, and guarantees nothing. The \$60,000,000 bill that we originated in this House provided a loan and required the farmer to mortgage himself, his family, and his crop. Yet people talk loosely about a dole, people who otherwise are supposed to be intelligent.

Now you come back to-day with \$20,000,000 after weeks of tragedy and turmoil and distress in the country. First the Republican administration endeavored to cut the \$60,000,000 down to \$25,000,000 with the result that we got \$45,000,000, and now they come back with an additional \$20,000,000, and having appropriated \$3,000,000 for medical supplies, we have to-day \$68,000,000 appropriated by the Congress. When the Senate \$60,000,000 bill came up for discussion then it was a dole, and now this \$20,000,000 bill comes back to-day explained officially and grandly, though not convincingly to me, that the farmer may borrow money and buy food with it. When it was here before, from the leader on the Republican side down to the humblest Member, it was called a dole. You come back here to-day and say it is the same thing only changed in language. In this it is for livestock, and in the other it was for work stock—a change of one word.

If the Republican administration and Republican Members of this House had kept faith with the commissioners of agriculture and the drought-relief chairmen and had passed the original \$60,000,000 bill solemnly agreed upon in advance of the session, as I personally know, the administration would have gotten full credit for drought-relief aid in the drought area, and the other parts of the country would have been satisfied. Not a murmur would have been heard up to this hour. It is still a mystery to me why the Republicans failed in their opportunity and lost all credit for whatever may be done for the drought sufferers, forcing the entire country into great turmoil and discrediting themselves when they could so easily have passed the \$60,000,000 bill, kept their agreement, and relieved the drought sufferers with full credit to the administration. The Republican administration had the opportunity and utterly failed to take advantage of it. The record is made and the country understands the truth of this tragic fight. [Applause.]

The SPEAKER. The time of the gentlemen from Louisiana has expired.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield four minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, it is not my intention to delay action in the House, and therefore, notwithstanding my inability to secure the same measure of relief for the suffering and needy people in the city, I shall vote for this bill. I hope that the gentleman from Arkansas [Mr. RAGON] is not misled in his assuring the House that this will bring about relief to the unfortunate suffering people of his and the adjoining States.

Mr. Speaker, ladies and gentlemen: I was hopeful, and had every reason to believe, that we will not only grant relief to the drought-stricken suffering people of Arkansas, Oklahoma, and Kentucky, but that we will also accord relief to at least a small portion of the millions who find themselves in as great a distress, need, and want, due to the calamity brought about by the financial cyclone which has destroyed and wiped away, in many instances, their employment and entire life savings.

Mr. Speaker, ladies and gentlemen, my heart goes out not only to those who are suffering because of the drought in

the agricultural sections but also to many of the millions of the unemployed residing in the manufacturing and urban centers of our country, and although I will vote for this measure, since I am not desirous of delaying its passage any longer, I greatly regret that my efforts and those of a few of the other Members to extend this relief and aid has come to naught.

It seems to me that the President, as well as his advisers and you gentlemen, fail to realize that the people—yes, the women and children in the cities—become just as hungry as those on the farms when they are deprived of, denied, and unable to obtain their food. Reports indicate that the suffering and the need in the cities is much greater than the need and the suffering on the farms.

I fully appreciate, and the fact is, am thankful to the thousands of our citizens who in every way assist in contributing to the Red Cross and to the other organizations endeavoring to feed the hungry in the cities. Many of them are doing their full share; but a great many of them—and especially those who object to Federal relief legislation on the pretext that we should not establish the dole system—have failed to do their part, to aid in contributing their share in their respective communities.

I must concede, that I can't quite understand President Hoover's determined stand to oppose any governmental relief to the suffering people of his own country, when for years, he has been advocated—yes, been held out to the nations—as the feeder of the hungry of all the nations. Were it only possible to pry him loose from the inhuman eastern financiers' influences, I feel that in view of the heart-breaking reports of the suffering of so large a number of our citizens, he would desist from his opposition, and would permit legislation which would to some extent relieve their suffering.

The survey shows, that in the city of Chicago alone there are about 200,000 people out of employment; thousands of them are being evicted from their homes; and a still tremendously larger number, are partially fed by the city and county authorities and many of the charitable institutions.

In this bill, we provide for feed for work stock on the farms, and refuse to appropriate a dollar to feed the hungry men, women, and children.

I feel, ladies and gentlemen, that individually, you are just as interested in these unfortunates as I am. But why is it—I repeat, why is it that as a body you refuse to grant the aid which, I know, you would not deny as private citizens. To me it is most amazing to see how easily you are swerved by the administration from doing the humane thing and that which I know your hearts should dictate, and all on the false pretext of refusing to establish a precedent. Only yesterday you voted three hundred and forty-eight million of dollars for the Navy, to provide for cannon and powder and ammunition and other killing devices; yet you here refuse to vote one dollar to relieve the suffering of the needy city people. May I ask why this discrimination? I recognize that you will contend that this appropriation is only for the purpose of loaning to the farmers in the drought-stricken areas, to aid their rehabilitation; and that only upon lien-crop securities, which the needy people in the city could not supply. You fail, however, to realize, that under the present conditions, the farmers can not possibly and will not receive sufficient returns from the sale of their crops to repay any loan made them.

I do not wish this to be construed as opposing the relief, but am merely making this observation for the purpose of indicating that these loans will in no way be secured to any greater degree than would be the loans to the unemployed and those in want in the city; and this, especially so, in view of President Hoover's assurances to the Nation in his Lincoln memorial day address that conditions are improving, work increasing, and therefore the chances of repayment of any loan made to the city people will be at least on a par.

For the country's sake I hope that the President's assurances at this time will resolve themselves into more than mere words and will not continue to remain "just around the corner," as did his previous assurances.



I fully appreciate that the American people do not desire a dole, what they do ask for is work—employment—an opportunity to earn a living so as to be able to provide for their near and dear ones.

Mr. Speaker, ladies, and gentlemen, for months the lobbyists and publicists of the powerfully privileged, especially protected beneficiaries—responsible for the financial and commercial calamity—have been endeavoring to hold Congress responsible for all of the country's ills. Congress might be responsible for its failure to relieve conditions, but surely not for bringing them about.

Nevertheless, they persist in their insinuations that Congress is retarding the return of prosperity, knowing full well that they have it within their power to bring about—if not immediately, at least gradually—the resumption of normal conditions. Therefore in order that a special session of Congress be unnecessary we shall not delay the passage of this and all other legislation. This will give the President and these interests full sway so they can not any longer unload upon Congress the responsibility for any delay in reemployment. And I, for one, expect that in view of the fact that Congress is shortly to adjourn the President and these powerful influences will not continue to feed the people on promises, as they will not be able to digest these much longer, but will demand food. [Applause.]

Mr. TAYLOR of Colorado. Mr. Speaker, I yield four minutes to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR of New York. Mr. Speaker, this conference report on the Interior Department appropriation bill, containing \$20,000,000 for drought relief, before us this afternoon, has been referred to several times as a "compromise." I think we might just as well call a spade a spade. To my mind this provision of \$20,000,000 is nothing less than a surrender, a surrender by Representatives who only a short time ago came before this House advocating relief for all sections of the country by putting a fund in the hands of the President, if the Red Cross would not take it, so that in cases of emergency the people of the entire country might be taken care of.

Amendments were offered on the floor of this House by some of the conferees in support of such a proposal. What do we now find? We learn that a surrender has been made to a minority part of the country.

I have always voted for relief for the farm sections of our country and for the drought areas, but I thought after what I heard here when this bill was before us a short time ago that there was a definite policy by our leaders of the minority to make no distinction in favor of only 20 States or against the metropolitan centers of our country; that we would provide that in case an emergency arose there would be a fund that would take care of our people in every section of the country. Congress is about to adjourn, we hear, and the real purpose of this amendment proposed by our conferees was to put a fund in the hands of the President so he might take care of every part of the country. Congress is going to adjourn on March 4.

The only excuse I hear for this surrender is to get through and end Congress. Years ago that propaganda began. The propaganda started as a joke. Then along came the consideration of the interminable consideration of the last tariff bill, and then the country suffering so much by the dilatory methods of Congress and especially another body, that the people did accumulate the idea that the country was better off without Congress in session. I can not conceive, however, of self-respecting Members of a National Legislature yielding to such an offensive popular propaganda accelerated by the press—a direct insult to Members of Congress, who are asked, "Why do not you go home? Why do not you close up shop? The country would be better off."

Now, in the unparalleled condition which confronts this country an administration really wanting to preserve the welfare of the country and be on the job to meet any emergency that might arise would never adjourn Congress. The Congress would be kept continuously in session to meet any

emergency which might arise and which is bound to occur unless this business depression in which we find ourselves speedily ceases. Nobody believes, however, that this depression will be relieved in the near future, surely not before next December.

Why should representatives of our people be cowards? Why should they surrender to popular clamor in a matter like this just to go home on March 4? Why should duly elected officials yield to propaganda, built up by newspapers and special interests, who brazenly assert "the country is better off without you in session. Go home." What can be the inner feeling of men and women elected to a National Legislature in the face of such an insult hurled at them? O, ladies and gentlemen, legislation may be, as it is often said, the fruit of compromise, but it is a sad day in our Nation when legislation is the result of abject surrender. [Applause.]

Mr. CRAMTON. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. LA GUARDIA].

Mr. LA GUARDIA. Mr. Speaker, the highest duty of Government is the preservation of life. When that duty is involved, I for one, refuse to compromise. I have had my say on this proposition when the matter was before us. I understand the House is ready to approve this proposition, but, gentlemen, what do we do? A farmer who has security does not need a loan from the Government. A farmer who does not have security can not obtain a loan; so you are providing aid for those who do not need it, and those who do need aid are still dependent upon public charity, and you are ignoring entirely conditions in the cities.

Mr. ABERNETHY. How are we going to get anything else out of this administration than we are getting?

Mr. LA GUARDIA. How is the gentleman going to vote? Why criticize the administration when you will not vote with me?

Mr. ABERNETHY. I can not get any more. They will not give me any more.

Mr. LA GUARDIA. Mr. Speaker, there is a real crisis in this country, and people from the farming districts, the farmers and the unemployed, have asked Congress for bread and we have given them a revised statute. That is all they are getting out of it. I believe that up to date Congress has dismally failed to meet the situation; and, Mr. Speaker, I do not ask permission to revise my remarks. [Applause.]

Mr. TAYLOR of Colorado. Mr. Speaker, I yield the balance of my time, one minute, to the gentleman from Kentucky [Mr. GREGORY].

Mr. CRAMTON. Mr. Speaker, I yield to the gentleman from Kentucky two minutes.

Mr. GREGORY. Mr. Speaker, ladies, and gentlemen, I have the honor to represent a great agricultural district, and permit me to say that I am in sympathy with the statements which have just been made by the gentlemen from New York [Mr. O'CONNOR and Mr. LA GUARDIA]. [Applause.] I think there has been an abject and indefensible surrender upon this proposition and I regret very much that this conference report comes before this House at this time in the form it which it does come. I have no disposition whatever to save the face of any man, either on my side of the House or on the other side of the House. I think all of us on both sides have ample cause, when we leave this Chamber, to be ashamed of the action which will be taken here to-day.

The gentleman from Louisiana [Mr. ASWELL] has called attention to the fact that the Republican leaders have come to the same position which was occupied by some of our Democratic friends earlier in the session. That is true, but the way they have come, gentlemen, does not appeal to me. I think it is a shameful thing when an American Congress has to write to the Secretary of Agriculture to find out the meaning of a word. [Applause.] If we meant to include food, if we meant to include the necessities of life for these farmers who are suffering, why did we not have the courage to say so and not write to some subordinate official or to some other branch of the Government to find out what we mean by what we are saying this afternoon? [Applause.]



It is pitiable. It is shameful. My friend from Arkansas [Mr. Ragon] has indicated that he hoped this measure would be administered sympathetically.

Well, he entertains a hope which I do not entertain, especially if a person has to come in at the back door as the administration has done in this case. In view of the intellectual dissimulation which has been practiced in connection with this bill I have very little confidence in their administration of the law.

I have had information from the district which I have the honor to represent that in the administration of the \$45,000,000 loan law in that district, where farmers are applying for loans, they have been required to pay an overhead expense in order to get these loans amounting to 12½ per cent on loans of \$100 and 22 per cent on loans of \$50.

Gentlemen, it is a shame and a disgrace that this thing has come about. I shall support this conference report with shame and with a great degree of reluctance. [Applause.]

Mr. Speaker, let me review the situation which has made consideration of this legislation necessary. More than eight months ago the country woke up to the realization that it was in the midst of a drought which for the extent of territory involved and the damage it was doing, was unsurpassed by any previous drought in our history. Rivulets and brooks became dry, springs no longer flowed, and even in such great rivers as the mighty Father of Waters the lightest craft found navigation seriously impeded. A merciless sun beat down from a brazen sky upon field and forest, and vegetation withered and died in the blistering heat. Pious folk prayed and so-called rainmakers used every device imaginable to coax moisture from the skies, but the combined efforts of the good and the credulous were unavailing. The situation had become so alarming by July 12, 1930, that on that date the State health officer of Kentucky telegraphed the President of the United States that the prolonged drought had not only brought great economic loss to a vast section of the country but that it also had become a threatening menace to the health and physical well-being of millions of people. In response to the appeal of the State health officer of Kentucky, the President directed the Surgeon-General of the Public Health Service to summon the State health officers of Alabama, Arkansas, Georgia, Kentucky, Mississippi, Missouri, North Carolina, and Tennessee to convene in Washington on July 22, 1930, to consider the phase of the drought which related to health conditions.

At this early date this conference of State health officers found that restrictions had been placed on the use of public water supplies in many sections in each of these States; that private water supplies had disappeared; and that the families of thousands of farmers were drinking water hauled from great distances from doubtful and polluted sources. It was found that this shortage of suitable drinking water had produced a definite increase in typhoid fever, dysentery, and other filth-borne diseases, and that there was also a marked increase in pellagra and other dietary deficiency diseases. As the days came and went the drought continued with relentless fury. When the Congress convened last December the drought had already destroyed a major portion of the crops in 21 States of the Union; livestock were dying for want of water and provender upon which to subsist; and millions of American men, women, and children, undernourished and poverty stricken, ill and poorly clad, were battling against uneven odds for the most precious boon of human existence—the preservation of health and life. Little wonder, therefore, that many Members of the Congress should have made it their first concern to seek the speedy enactment of legislation which would bring a measure of relief to the millions of their fellow Americans who were hungry, ill, and destitute as a result of the greatest peace-time disaster and the greatest economic debacle, for neither of which were these unfortunate people responsible, this Nation has ever known. Bills were immediately introduced in both branches of Congress authorizing an appropriation of \$60,000,000 to be loaned to farmers for the purpose of enabling them to purchase food and also seeds and

other necessities incident to the business of farming. At once a determined effort was made in both the legislative and executive branches of the Government by the Republican leaders not only to cut this proposed appropriation in half, but to limit the use of all money so borrowed, and for which ample security should be given by the borrower, to feed for work stock, seeds for planting, and fuel for farm machinery. These generous Republican leaders said a niggardly sum might be used for the feeding of mules, the planting of seeds, and the purchase of oils and gases, but not one cent could be used to stay the hunger or to clothe the bodies of millions of destitute Americans.

Who were the Republican leaders in this House who turned a deaf ear to cries of distress heard in 21 States of this Republic? Many of them were men who in former years had voted to give millions of dollars to the suffering people of Italy, although the Italian Government had not asked for it. Many of them were men who took delight in more recent years in placing their hands in the Public Treasury and in taking therefrom hundreds of millions of dollars to supply food and other necessities of life to peoples who speak in alien tongues and who acknowledge fealty to alien flags. Day in and day out these Republican leaders fought to deny to American citizens that which they freely gave to those who live in far and distant lands across the seas. True to the history and traditions of their party, the Democratic membership in the Congress fought valiantly for the poor and the distressed, while the Republican leaders in this body, supported by the Republican President, had no eye to see, no heart to respond to the cry of distress coming from hungry and starving Americans who were not asking for a gift, such as had been bestowed upon the peoples of other lands, but for the right to borrow money from their Government to enable them to feed and clothe their families.

I knew that upon the tariff and other economic questions the Republican leaders in this body could hear no other voice when the big interests of the Nation spoke. I knew that they had gagged and bound this body while they forced through this Congress a tariff bill which annually takes hundreds of millions of dollars coined in the sweat and dust of the honest toil of those who now suffer and are in want, in order to further enrich the great captains of industry. I knew that a little more than a year ago, when the stock market crashed and business was paralyzed with Hoover prosperity, they had sponsored legislation which canceled \$160,000,000 in taxes lawfully due to the Government from those whose earnings for the year 1929 had exceeded the losses which they had sustained during the same period. I knew they had proposed that in the course of the next 18 months the Federal Government should lend to the shipping interests the sum of \$107,000,000 at an annual interest charge of less than 2 per cent. I knew that they subscribed to the doctrine that government should be used to enrich the few at the expense of the many; but I had never believed that these latter-day Republican leaders would deny bread to hungry men and women or refuse milk to the parched lips of famishing babes.

Therefore, I was amazed as I saw these Republican leaders whip their legislative battalions into line. My ears were deafened by the rolling thunders of their heavy artillery from Massachusetts. I was embarrassed as I heard the sharp invectives fall from the lips of an angry captain from another State. I was sorely grieved when I observed that their great leader from Connecticut had seemingly forgotten the hearthstones and firesides from which he had sprung in the old Volunteer State. When the tumult was at its height I turned from the turbulent scene and in fancy I saw the great army of the poor and the unfortunate back in "My Old Kentucky Home." Across the gap of years I fancied I saw Lincoln—the Lincoln who is said to have loved the common people—and I wondered what he would say if his disembodied spirit could be called back to its tenement of clay so he might walk once more into this Chamber and hear the words of those leaders in this body who profess to be his followers. I wondered if after witnessing the scenes which I have witnessed he could say that the attitude of



his professed followers on this floor squared with his expressed hope that this Nation might be preserved as a "government for the people."

The opposition to relief which includes food for starving Americans assert that the granting of that character of relief would establish a precedent socialistic in its tendencies and dangerous in its consequences, but the benefactions made from the National Treasury to relieve distress here in our own land and abroad, in scores of instances and covering more than a century of honored history, refute their claims. Nevertheless, if there had been no long line of precedents to justify the position of those who have been battling for a Federal appropriation to aid those of our fellow citizens who are in dire distress at this time, I should have felt constrained to support adequate relief measures. The sea of life is wide and wild and strange, and we can not know what lies beyond the rise of a day's journey, but we do know that nothing for us lies behind except points to steer by. Individuals, organizations, and nations which spend their time in looking backward become, like Lot's wife, monuments of salt upon which no history, no prophecy remains, but whose virtues scale in every rain to pour in brackish waste about their feet to sterilize the spot of earth they cumber. Much as we may revere the past, we have no right to linger by the hallowed dust of other days while living, beating, bleeding hearts call us on.

New and changing conditions present problems which can not always be safely solved by applying the cold rule of precedent, but in the battle which has been waged in this Congress for adequate relief for the distressed those of us who have supported those measures which offered the maximum of aid to our unfortunate fellow Americans have not only responded to a compelling heart appeal but, furthermore, we have been bulwarked and supported in the position we have taken by a line of precedents extending back to the early days of the Republic. In casting my vote in favor of liberal relief measures which have been before this body for consideration I believe I have faithfully recorded the will of the great constituency whom I have the honor to represent. I have received letters from many individuals and resolutions from various organizations in my district which have given unqualified approval to the promptings of my own heart as to the course I should pursue on these relief measures. I shall not burden the RECORD by asking that these letters and resolutions be printed but I ask that you indulge me while I read the following brief extract from a letter which I have received from Dr. B. F. Berry, who resides in the fine little college town of Murray, in my district:

Many of our tenant farmers are leaving the farm and moving into any shack or hovel they can get here in town just for one reason—to be in closer touch with more people from whom to obtain help. Out on the country lanes maybe a mile or two from anyone, without even a horse to ride to town, we find widows with a house full of children suffering for want of food. And still the United States Congress says: "We will feed your work stock if you will give a mortgage on your next season's crop, but you and your kiddies must go hungry; we will give (not lend) our money to feed foreigners, but it would be a violation of a most sacred principle to appropriate one penny to assuage the hunger of an American child." God Almighty! What are we coming to?

Ladies and gentlemen of the House, these are not the words of an alarmist; these are not the words of a sluggard seeking to reap where he has not sown; these are not the words of a man lacking in knowledge of the fundamentals of our Government. These are the words of a man whose professional skill and ability have enabled him to make ample provision for the care of those who are his dependents; these are the words of an intelligent, patriotic American citizen who is a close observer of conditions prevailing in his community and elsewhere, and who has been amazed at the position taken by those who have opposed any form of Federal relief to those of our own citizens who, through no fault of their own, are hungry and destitute of the bare necessities of life.

Kentuckians are a proud and self-reliant people. I have not paraded their woes in the present crisis before this House, and they would not have me do so. But the con-

dition in which thousands of them find themselves at this time through no lack of energy, industry, and prudence upon their part in providing against the fugitive uncertainties of life which have brought this great calamity upon them, prompts me to make some general statements as to conditions in my State.

Kentucky has, within and on her borders, more great navigable rivers than can be found in any other State in the Union. The memory of the 1927 flood is fresh in the minds of all of you, and you will recall that in that year the floods destroyed millions of dollars worth of growing crops, livestock, buildings, highways, and other property, and that scores of human lives were lost. There were no crops in the valleys and in the lowlands that year. The floods again returned in 1928 and in 1929, destroying crops and other property to the value of many millions of dollars. After the floods subsided the farmers of my State replanted their crops, only to have them destroyed before maturity by unusually early frosts. With three crop failures in succession behind them and with the greatest period of economic depression this country has ever experienced facing them, the farmers of Kentucky, with unrelenting courage and high hopes, planted their crops for the 1930 season. The soil was well prepared and a large acreage was planted. Day in and day out from the first streak of dawn until the coming of darkness these farmers worked with the hope that nature would deal kindly with them and that bountiful harvests would reward their toil. They had hoped to recoup some of the heavy losses of previous years and to lay in store a sufficiency of the necessities of life upon which they and their families might subsist until the harvesting of another crop. Then came the drought with its blighting, devastating influence reaching into 117 out of the 120 counties in Kentucky. Giant trees in the forest which for decades had proudly withstood the siege of storm and wind and sun and snow and flood, bowed in death before the blistering heat. Rivers and streams, the great arteries of transportation upon which thousands of Kentuckians who live in the hills and in the mountains must depend in order to float their logs to the markets of the world, became impossible of navigation and the logging industry was paralyzed. Pastures were seared and cattle and other livestock were sacrificed upon the market because their owners could not feed them. Gardens were burned and fruits failed, thus preventing thrifty housewives from canning and preserving foods for use in their homes.

Crops were destroyed and farmers were unable to meet their tax bills and other fixed obligations. As a result of this drought a hundred thousand farm homes in my State are passing through the greatest financial crisis which they have ever experienced, and thousands of people are without sufficient food to properly nourish their poorly clad bodies. Thousands of little children are denied the privilege of attending school because they are scantily clad and have no shoes. Many of those who are in school are badly undernourished, a survey made in certain sections of my State showing that there are many children attending the rural schools with absolutely no food during the day except such immature acorns, hickory nuts, and walnuts as they may be able to find in the forests. But, ladies and gentlemen, bad as it is, that does not complete the gruesome picture. To-day throughout my State there haunts the grim spectre of disease. Typhoid and dysentery produced by contaminated waters have been on the increase, and undernourishment has given pellagra a menacing foothold. Just a few days ago Kentucky had her first general rain of any consequence since February, 1930. While suffering but grateful people hailed these rains as "showers of blessings," yet this long prayed for relief has brought with it some measure of danger. According to the statement of Dr. Arthur McCormack, State health officer for Kentucky, a man who has had 34 years of experience in the work in which he is engaged and whose high professional standing is acclaimed throughout the Nation, these rains will mean a sharp and marked increase in dysentery and kindred diseases because of surface contaminations which have been washed into water supplies. While the drought may be broken, it not



only leaves a great economic problem to be solved, but it also leaves in its wake problems of health and sanitation which are of the most vital concern. With these unprecedented conditions having such a marked bearing upon the health and well-being of those who live in the rural sections of the land, it gave me much pleasure a few days ago to vote for a measure carrying an appropriation of \$2,000,000 to promote health and sanitation in rural districts. I sincerely regret that the measure upon which we are to vote within the next half hour falls so far short of the requirements of those who are in need through no failure of their own to live up to the high ideals of honest, intelligent, industrious, and law-abiding American citizens. I am one of those who believe that it is the duty of the Government to protect its citizens from famine and flame, flood and disaster, pestilence and catastrophe brought upon them by conditions over which they have no control and when the political subdivisions in which they live are unable to extend to them necessary succor and aid.

If the life of the citizen is worthy of protection in war, why is it not equally precious in times of peace? If American citizenship gives him the right to protection in war, what moral right has the Government to discriminate against him in times of peace just because of the occupation he may follow or the particular locality in which he may dwell? Mr. Speaker, the bill before us for consideration is unfair and discriminatory. To the millions who are in distress and who are without the necessary property qualifications to offer security for a loan, this bill offers no hope. The sole justification for the passage of this measure is that it establishes a system of credits in communities where banks have been closed and business has been paralyzed. For that reason alone I am persuaded to vote for this measure. Within a few days this Congress will be forced by the mandate of the Constitution to close its labors. If there were the slightest chance to procure the enactment of a more just law at this session of the Congress, it would give me pleasure to vote against this conference report just as it gives me pleasure now to protest against its terms and to denounce the manner in which it has been forced upon the Congress for consideration. When there is no human probability that an appropriate relief measure can be passed by this Congress, I can not see my way clear to vote against this bill which does offer a small degree of relief to those who may be able to qualify for it under the terms of the bill and the regulations which may be issued by the Secretary of Agriculture. This Congress has miserably failed in the discharge of its obligations to those of our citizens who should be the objects of our greatest solicitude and care. Let us hope that the people of this Nation will not be guilty of a like indifference to the worthy poor. Let us hope that through the agency of the Red Cross and other angels of mercy the naked may be clothed and the hungry fed. Let the great heart of America so speak through these agencies that the world may know that there is no geography in American sympathy, no sectionalism in American generosity.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that all Members be allowed to extend their own remarks on this conference report for five legislative days.

The SPEAKER. The gentleman from Colorado asks unanimous consent that all Members may be privileged to extend their own remarks on this conference report for five legislative days. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that our colleague on this subcommittee, Mr. MURPHY, be recognized for not to exceed 10 minutes.

The SPEAKER. The gentleman from Michigan still has time to yield.

Mr. CRAMTON. Mr. Speaker, I yield the gentleman 10 minutes more.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield that 10 minutes to the gentleman from Ohio [Mr. MURPHY]. [Applause.]

Mr. MURPHY. Mr. Speaker and Members of the House, it was my purpose, when I asked my colleague to yield some time to me this afternoon, to pay a tribute of appreciation and sincere affection to the great chairman of the subcommittee that now has this conference report before the House. [Applause.] Recognizing that many of you have bills in which you are deeply interested I am not going to take up your time now, but at a later date I am going to ask for time to the end that I may talk to you and tell you something of the CRAMTON I know, of the CRAMTON I have worked with and supported for a period of eight years on this subcommittee, which has never brought in during that length of time a divided report on the work brought before that committee. I shall not say more at this time, because I am thinking of those Members who have bills on the Private Calendar. [Applause.]

Mr. CRAMTON. Mr. Speaker, I desire to yield myself 10 minutes and hope not to use as much time as that.

Mr. Speaker, ladies and gentlemen of the House, after these months of debate and controversy and delay this Interior Department appropriation bill approaches its final action by the Congress, and we hope that in a little time it will be on its way to the White House for the approval of the President, the first of the regular appropriation bills to pass Congress in this session. There remain now, including this bill, nine regular appropriation bills, besides the second deficiency bill, to pass Congress with only 15 legislative days remaining.

We have been delayed and the whole business of this session of Congress has been kept waiting because of the deadlock over forms of relief. In the higher-pitched passions of that fight there have been from the minority side of Congress attack after attack upon the President of the United States, but that great Executive outlives those attacks and will outlive them. [Applause.] It is most unfortunate, as I think the gentleman from Arkansas [Mr. RAGON] said this afternoon, that on a question of human relief and aid to the needy there should seem any occasion for drawing lines of partisanship. You men may get up here and rant all you want to and try to paint men of the opposite party as lacking in human impulses, but when you sit down you have accomplished nothing, because men, whether they are Republicans or Democrats, whatever their place of residence, whatever their party convictions, or their religious creeds, all respond to the same human impulses and have the same desire to help the needy. [Applause.]

In the message of the President that came to Congress the 2d of December, if you care to go back to that great document, you will find that the President devoted the far greater part of his message to discussing these needs of the country and made certain suggestions as to what the Congress might do. Those suggestions have been enacted into law, and as a result of that a great deal has been done by this Congress for the relief of unemployment and for the relief of the needy in the drought-stricken areas.

Day after day the country has seen the shrieking headlines of oratorical tirades, largely in another legislative body, emphasizing the things that those orators have thought ought to be done and are not done. So much emphasis has been placed upon those things that I fear the country does not appreciate the great things that have been done. Time does not permit me to enumerate them, but in my extension of remarks I hope to give something of a picture of the great legislative accomplishments of this session of Congress for the relief of those suffering from unemployment or from the drought, and in accordance with the policies suggested by the President at the opening of this session. Let me only now remind you that we appropriated \$116,000,000 in December for emergency construction work to provide employment. Included in that was \$80,000,000 for an advance of Federal-aid money to the States, and under that legislation do you realize that the States by putting up only \$65,000,000



of their own money are able to let contracts—many of which are let now or soon will be—for construction amounting to \$300,000,000, the Federal Government putting up nearly four to one.

Do you realize that because of the legislation we have passed here and the appropriations made the Federal Government and the State governments together have a program of construction this year now under way more than \$200,000,000 greater than the largest amount ever spent in comparative effort of this kind before?

There is \$45,000,000 for relief in the drought-stricken areas. Having heard the speeches this afternoon from Kentucky and elsewhere, I think it is not out of place to say that however the minority may be disposed to draw lines of partisanship, to attack without reserve the President because he is a Republican, I think it is not out of place for me to remind the gentlemen on the minority side that that \$45,000,000 and this \$20,000,000, to a very great extent, goes to Democratic areas. [Applause.] We do not draw partisan lines in relief. The need admittedly exists there and ample action is being taken to meet the need. Words of appreciation would be more appropriate than partisan criticism.

Something has been said about food. This was the issue drawn when this question was last before the House. This House was satisfied then, and I believe the country is satisfied now, that it was unwise for this Government to assume a policy of free distribution of food; that this work might better be done by private and local agencies.

Oh, we were told about the \$100,000,000 that was sent to the nations of Europe after the war. First, by sending that aid to Europe at that time, to areas where government had broken down and all was in confusion, there were no local agencies; not only did we by that act not break down or interfere with any existing agencies in Europe, but we did not break down the Red Cross or any other local agency in the United States, as we would have done if the \$25,000,000 donation to the Red Cross had been enacted into law.

Furthermore, they have not told you that of that \$100,000,000, \$5,000,000 was unexpended and \$84,000,000 was not given out as a gift, but obligations of European governments were received in return. Something over \$11,000,000 was free distribution of food. To whom? Six million orphans of Europe were gathered together and fed by the United States Government at a cost of somewhat over \$11,000,000. Who says that was not proper?

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield back the remainder of my time, which was yielded to me by the gentleman.

Mr. CRAMTON. I thank my colleague.

Moreover, this \$95,000,000, as the \$20,000,000 that afterwards went to Russia, was deemed an important factor in relieving the farmers of the United States by providing a market for their products for which the price then was at a minimum.

Oh, I think if we will study some of these precedents, we have not been so far off in our treatment of this question, but the President declines and the House declines to create the precedent of the Government of the United States becoming the almsgiver for the people of the United States. Private agencies are meeting that need.

Something was said here about the insufficiency of the \$2 a month distributed by the Red Cross. If \$2 a month distributed by the Red Cross as relief for people of Arkansas or any other State is insufficient, who is responsible? Not Judge Payne—not the National Red Cross, but the local officials of the Red Cross who, in every instance, have the free determination of what the relief shall be, and how much shall be given; but the evidence is that the relief is adequate.

The bill before us gives \$20,000,000 additional, not in conflict with the former action of this House, but it makes available another \$20,000,000 for relief of the drought-stricken areas through loans for various purposes, loans to farmers for crop rehabilitation, loans to aid in forming local agricultural credit corporations, and so forth.

It further provides that the former appropriation may be used for feeding stock that are not work stock, as well as feeding work stock.

A compromise it has been termed—I am happy if it is considered a compromise, because the only thing for grown men to do when a deadlock occurs is to give and take so far as they feel they can without surrender of principle. Whatever others may think about it, I feel satisfied that neither the President of the United States nor the House of Representatives in adopting this conference report has surrendered anything of principle. More than this, I hope the adoption of this report means the breaking of the legislative jam and that other appropriation bills can now take their natural course and the important legislative work of this House may have full opportunity for consideration. [Applause.]

Mr. Speaker, drought and unemployment, those twins of disaster, have for months made allied attack upon our Nation's welfare, each making more complete the havoc wrought by the other. In 21 great States of the Union there was in the crop season of 1930 abnormal lessening of rainfall, causing the most widespread crop failure from drought ever known in our Nation. To fully appreciate the magnitude of the drought disaster, it is well to realize that when in any large area fields and gardens are well-nigh barren, the towns are affected as well as the country, business stagnates, employment disappears. The whole financial and economic structure, with destruction of resources, freezing of assets, and a multitude of credit demands, becomes paralyzed. The drought disaster, seriously affecting about half the States of the Union, not only wrought its havoc in those areas directly involved but contributed materially to the economic depression of the Nation, intensified it, and added to the general unemployment problem. Likewise, the prevailing economic depression of the United States, kin to similar depressions in greater degree throughout the industrial nations, added to the distress in the drought areas in great degree by adding low crop prices to the greatly reduced yields.

Various forms of legislative relief for our economic structure and various forms of financial aid for the needy and the distressed, the sufferers from drought or from unemployment, have taken largely the attention of the Congress at this session, which began December 1 and must close at noon March 4.

Politics, partisan or individual, often does much to becloud the judgment of legislators and to confuse in the public mind the picture of a legislative situation. The controversy over relief measures has seemed at times so acute, so deep-rooted in conflict of irreconcilable opposing views, as to endanger the whole legislative program of this session, and through failure of passage of appropriation bills to give promise of an otherwise needless and unwanted special session of the new Congress. The short session of Congress each second year is of necessity chiefly devoted to passage of the appropriation bills carrying the money needed for the administration of the National Government. Two weeks from next Wednesday this session of Congress comes to an end, and at this moment not one of the nine regular appropriation bills has become law. If a special session is to be avoided those 9 regular bills and 1 deficiency bill, 10 bills, carrying a total of about \$4,000,000,000, must be enacted into law in less than 15 legislative days. In the same few days the calendars of the House and Senate are congested with a motley multitude of other bills—general and local, public and private, important and trifling, desirable and undesirable—all crowding for legislative action, and many backed by the insistent efforts of determined supporters. Acute differences of opinion as to the relief program have brought about this alarming legislative jam. But to-day the clouds have been driven away and this evening hopes are strong that action, swift and effective, will follow the storm of controversy and debate. The legislative deadlock between the House and Senate upon the Interior Department appropriation bill has ended. The Senate has approved and the House will approve this conference report, with its compromise upon



drought relief, and it will soon go to the President for his expected approval. It is to be hoped that, the jam being broken, early enactment of the other important supply bills will speedily follow and that other important legislation may also receive consideration.

It is my desire to present to you the facts with reference to the Federal Government's program of relief rather than to indulge in partisan or other controversy. The wide scope of the emergency, the acute and urgent need for relief, is unquestioned and uncontested. Further, the President and Members of the House and Senate have, regardless of party, regardless of residence, all desired to relieve human suffering and promote economic recovery. The controversy which has so long occupied the forefront of legislative discussion has had to do rather with the form of relief and the agencies to administer it.

It is quite possible that with all the shrieking headlines featuring day by day the demand for things to be done that have not been done, you may not have realized how much has been done and is being done to relieve human distress and to promote economic recovery. Let me talk briefly of these things that have been done.

In his annual message to Congress at the opening of the present session President Hoover gave his chief attention to these problems. While emphasizing that "our country is to-day stronger and richer in resources, in equipment, in skill than ever in its history," he emphasized that cooperation is necessary from all sources for relief of present ills. He then laid down the fundamental doctrines that should govern such program of relief.

Economic depression can not be cured by legislative action or executive pronouncement. Economic wounds must be healed by the action of the cells of the economic body—the producers and consumers themselves. Recovery can be expedited and its effects mitigated by cooperative action. That cooperation requires that every individual should sustain faith and courage; that each should maintain his self-reliance; that each and every one should search for method of improving his business or service; that the vast majority whose income is unimpaired should not hoard out of fear but should pursue their normal living and recreations; that each should seek to assist his neighbors who may be less fortunate; that each industry should assist its own employees; that each community and each State should assume its full responsibilities for organization of employment and relief of distress with that sturdiness and independence which built a great nation. The best contribution of government lies in encouragement of this voluntary cooperation in the community. The Government, National, State, and local, can join with the community in such programs and do its part.

Much has been done under that leadership and in accordance with those principles, the Federal Government not assuming all the burden but ready to do its part. When Congress met many large employers had agreed to maintain wage standards and labor leaders had agreed to set their influence against strife; all branches of government, national, State, and local, had been encouraged to distribute employment so as to give work to the maximum number; needed programs of employment had been expedited and enlarged; and emergency employment agencies in Nation, States, and communities had been set up.

In that message the President then urged upon Congress "temporary expansion of activities in aid of unemployment during this winter"; the elimination of red tape that unduly delays the actual commencement of work on public projects. He further urged temporary advances of Federal highway aid to the States. All of these recommendations in the annual message of the President for relief of unemployment have been enacted into law.

An advance of \$80,000,000 of Federal highway aid to the States has been authorized; every State is availing itself of the opportunity for increased construction thus given; many contracts using that money are already executed; work in some cases is now under way. This emergency advance fund was provided for the purpose of supplying the States with money to meet the regular Federal-aid apportionment. Under this advance and Federal-aid funds previously available, let me say without wearying you with details, the States are able with the use of only \$65,000,000 of State funds to put under way a road-construction pro-

gram amounting to over \$300,000,000 to be completed between now and September 1. As a matter of fact, the Federal and State cooperative highway construction program this coming construction season will amount to over \$430,000,000, which is more than \$200,000,000 larger than the largest year heretofore. Add to this State and Federal cooperative program the known road programs of States and counties for highway construction, betterment and maintenance, and you have an expenditure for highways in the United States of more than one and one-quarter billion dollars. Add to this the expanded program of paving that will be undertaken generally in the cities, and you have some idea of the large part which our highways are playing in the movement for relief of unemployment. Commissioner MacDonald, of the Bureau of Public Roads, insists that a dollar for road building goes more fully to labor than any other dollar the Government expends in construction.

Congress has passed the Elliott bill eliminating much of the red tape in letting contracts for construction of public buildings in this emergency so that congressional authorization and appropriation may more speedily be translated into a demand for days of labor of men. Federal construction programs in other lines than highways have been enlarged. River and harbor work and roads in the public domain to the amount of \$46,000,000 beyond the regular programs are authorized by the act of December 20, and the work will all be under way in a few weeks, many men having already been given employment under this authorization. The first deficiency bill, which became a law February 6, carried \$45,000,000 for immediate construction purposes, much of it for needed programs expanded and expedited in order to give employment. The fiscal year of the Government begins July 1 and the regular appropriation bills are for the year beginning that day. In accordance with the President's appeal for expansion and expediting of needed public works, the Committee on Appropriations of the House has recommended and the House has approved making immediately available wherever feasible appropriations for construction purposes. As a result in the nine regular appropriation bills that have passed the House and are now pending in the Senate or in conference there are such appropriations pending for construction purposes to the amount of \$346,000,000. The minute those appropriation bills become law the Government will be authorized to employ tens of thousands of men, and each man so employed will have an income on which he can support his dependents. The sooner those bills become law the sooner will those millions of dollars begin to relieve unemployment through construction projects scattered through the whole Nation.

While this controversy about relief has raged these highly important projects for relief of unemployment have been retarded days and weeks. For instance, the Interior Department appropriation bill, which passed the House December 12 and was reported to the Senate December 16, becoming involved in the legislative deadlock over relief measures, has only to-day been sent to the President for his approval, carrying \$19,000,000 immediately available for construction purposes in numerous communities that sorely need the employment, not including \$15,000,000 additional for Boulder Dam. While the controversy has raged so hotly about other forms of relief these appropriations of \$346,000,000 in the nine regular appropriation bills that will relieve through opportunities for employment have had to wait.

The President set up in the Department of Commerce under the direction of Col. Arthur Wood an effective national agency to cooperate with State and local authorities in providing and securing employment.

Congress sent to the President yesterday the Elliott bill expanding the Federal public-building program and increasing the limitations on the amount available the coming year.

I have made these hurried references to the things which have been done by the administration and by Congress for relief of unemployment along the lines urged by the Presi-



dent in his message to Congress in December. Let me now address myself to the other disaster problem—relief for the drought-stricken areas. In his message of December 2 the President urged:

In order that the Government may meet its full obligation toward our countrymen in distress through no fault of their own, I recommend that an appropriation should be made to the Department of Agriculture to be loaned for the purpose of seed and feed for animals. Its application should, as hitherto in such loans, be limited to a gross amount to any one individual and secured upon the crop. The Red Cross can relieve the cases of individual distress by the sympathetic assistance of our people.

In accordance with that recommendation, Congress passed an act, approved December 20, authorizing an appropriation, which was made available January 15, of \$45,000,000 for the relief of farmers in the drought and storm stricken areas in the United States. The expenditure of this sum is available for advances or loans to such farmers—

For the purchase of seed for suitable crops, fertilizers, feed for work stock and/or fuel or oil for tractors used for crop production, a first lien on such crops being taken as security for such loan.

Some relief measures have been passed by Congress to meet similar emergencies in the past, and such aid has been found very helpful in the agricultural and financial rehabilitation of stricken areas. The farmer who through this loan can make his crop has improved credit at the supply houses for other needs as well. Past experience shows that such loans are very generally repaid to the Government. The transaction, therefore, is a matter of extended credit upon liberal terms to areas where the normal credit system has broken down rather than any act of charity. The Secretary of Agriculture is actively administering this fund and advises Congress that, in his judgment, the amount appropriated is sufficient to accomplish the purposes intended.

In the first deficiency bill, which became law February 6, there is included an appropriation of \$2,000,000 for rural sanitation, including the purchase and distribution of medical supplies in the drought-stricken areas. This appropriation is to be expended by the Surgeon General of the United States Public Health Service in cooperation with States, counties, and municipalities, "due consideration being given to State and local economic conditions and human needs." The purpose of this appropriation is to make certain ample cooperation in protecting the health of the stricken areas, guarding against the dangers of typhoid, pellagra, and malnutrition. The medical service rendered thereunder by the Federal Government in cooperation with States or communities is not the furnishing of medical care to individuals, but is rather the furnishing of advice in sanitation, and so forth, to communities. Here is an enlightened and generous provision for the exercise of proper governmental functions for the preservation of the public health. Under this appropriation Surgeon General Cumming has himself been in the drought areas the past week making arrangements for this important work.

All of these things have been done without serious controversy, and the program, which I have not at all adequately pictured, is one which demonstrates the sympathetic and able leadership of the President, the willingness and understanding of Congress. The most acute controversy in Congress has revolved about the question as to whether the Federal Government should make a considerable appropriation of money for the purpose of furnishing food and other supplies free to those in need by reason of the drought or by reason of unemployment.

When the Interior Department appropriation bill was under consideration in the Senate an amendment was incorporated saying that \$25,000,000 should be made available for expenditure by the American National Red Cross—

For the purpose of supplying food, medicine, medical aid, and other essentials to afford adequate human relief in the present national emergency to persons otherwise unable to procure the same.

Naturally any expenditure for relief of human needs in a great emergency strikes a responsive cord in the hearts of the generous American, in official station, or otherwise. It soon developed, however, that the American National Red

Cross did not desire such an appropriation, and did not feel it could accept it if tendered to them. Judge John Barton Payne, chairman of the American National Red Cross, formerly Secretary of the Interior under President Wilson, urged before the House Committee on Appropriations that—

The public will not go into partnership with Congress in the matter of giving relief. If the Red Cross were forced to go to Congress to get its funds, it could not successfully collect funds by voluntary subscription, and it would speedily cease to be an effective organization.

Judge Payne gave it as his deliberate judgment that such an appropriation by Congress for charitable work among our people "would to a large extent destroy voluntary giving to any agency, not merely the Red Cross, but to any agency." He states that such an appropriation from the Federal Treasury for their use would paralyze the drive the Red Cross is, in accordance with custom, making for private subscriptions for relief purposes. He further said:

I think the American people are the most generous people in the world, but they must be given a clear field. I know that in this present campaign of ours splendid men, liberal givers, have insisted that if we accept an appropriation from the Government, we must return their contribution. That is true to such an extent that in St. Louis and Kansas City the chairmen of the Red Cross chapters have announced publicly, because they could not otherwise get subscriptions, that if the Red Cross accepted this appropriation from the Government, all contributions will be returned.

The resolution unanimously adopted by the central committee of the Red Cross stated that—

It is the sense of the central committee that the Red Cross is in a position adequately to complete the task it has undertaken in the drought-stricken areas, and it hereby assumes the responsibility of completing said task without public appropriation.

Judge Payne gave Congress this definite pledge on Monday, January 28:

The Red Cross has pledged itself to finance this job, and it has funds enough to do it if it costs three times as much as you think it will cost.

This pledge had to do with the charitable relief of human distress in the drought areas. As to the relief of distress through charitable distribution in the cities resulting from unemployment, he stated the Red Cross was not operating in extending aid for unemployment in the cities, that no city had asked aid from the Red Cross, that 360 cities are organized with Community Chests, that local agencies are handling the situation more efficiently and more effectively than the Red Cross could do it with Federal funds, and that for the Red Cross to go into those cities with Federal funds would mean not the supplementing of existing relief but substituting Federal appropriations for practically all private or municipal charities. Upon this presentation of the facts of the situation, the House of Representatives on January 30, after a full debate, in which the freest opportunity was afforded for the offering of any substitute propositions and for record votes thereon, overwhelmingly voted against any appropriation from the Federal Treasury for works of charity, and has steadily adhered to that position.

It has been urged that Congress has made appropriations for charitable relief in great emergencies in foreign lands. It is to be remembered that whenever we have voted such appropriation of Federal funds in the past for relief of distress abroad, governmental agencies were broken down and society disorganized either through war or other disaster.

That is not the case in the United States to-day. Further, by those contributions of Federal funds to relieve foreign populations we did not in any way endanger the existence of the American National Red Cross or other highly valuable charitable agencies in this country. On the other hand, such funds coming from the Treasury would be more emphatic as an expression of international friendship than would any private subscription.

The instance most often referred to in regard to such an appropriation for foreign relief is that of \$100,000,000 soon after the World War. Many seem to have forgotten that not only were the conditions of governmental demoralization outstanding at that time in the nations relieved but that the expenditure was principally a loan rather than a gift. Of the \$100,000,000 appropriated, approximately \$84,-



000,000 was covered by obligations of European governments for repayment, \$5,000,000 was unexpended, and only about \$11,000,000 went as a gift. This \$11,000,000 was chiefly used in the feeding of about 6,000,000 war orphans gathered together in great camps. Furthermore, the appropriation was handled by the United States Grain Corporation as agent of the American Relief Administration and was of substantial aid in providing additional markets for American products in a time of severe price depression.

Mention is also made of the alleged appropriation of \$20,000,000 for the benefit of Soviet Russia. The fact is, about \$19,000,000 of money of the United States was appropriated which was matched by \$20,000,000 in gold by the Soviet Government, and the President raised from private sources in this country about \$38,000,000 more. The Russian Government and other agencies assumed the expense of distribution, thus leaving substantially the entire proceeds of about \$77,000,000, of which only \$19,000,000 was from the Federal Treasury, to be expended in this country at a time when the price of American farm produce was very low and the American farmer was aided by this transaction.

To keep a correct understanding of the situation it is in short to be remembered that an appropriation from the Federal Treasury for charitable distribution of food and other supplies to our own people has been opposed not through lack of sympathy for the needs of our people but through a belief that those needs can be and are adequately met through other agencies in this country, and that for the Federal Government to undertake a policy of such free distribution of food and supplies would not only threaten the existence of the Red Cross and other great relief agencies in this country, an eventuality that I think no one could contemplate without great misgivings, but would commit this Government to practically a sole responsibility for such relief measures and launch us into the dole system, from which no country once committed finds it easy to withdraw. Attacks upon the President have been at times vitriolic, but so were attacks upon Washington, Lincoln, and every President who stood firm in any great national emergency. This statement of the President February 4 stated the fundamentals of the question as they appeared to him:

This is not an issue as to whether people shall go hungry or cold in the United States. It is solely a question of the best method by which hunger and cold shall be prevented. It is a question as to whether the American people on one hand will maintain the spirit of charity and mutual self-help through voluntary giving and the responsibility of local government as distinguished on the other hand from appropriations out of the Federal Treasury for such purposes. My own conviction is strongly that if we break down this sense of responsibility of individual generosity to individual and mutual self-help in the country in times of national difficulty and if we start appropriations of this character, we have not only impaired something infinitely valuable in the life of the American people but have struck at the roots of self-government.

Once this has happened it is not the cost of a few score millions, but we are faced with the abyss of reliance in future upon Government charity in some form or other. The money involved is, indeed, the least of the costs to American ideals and American institutions.

And there is a practical problem in all this. The help being daily extended by neighbors, by local and national agencies, by municipalities, by industry, and a great multitude of organizations throughout the country to-day is many times any appropriation yet proposed. The opening of the doors of the Federal Treasury is likely to stifle this giving and thus destroy far more resources than the proposed charity from the Federal Government.

The basis of successful relief in national distress is to mobilize and organize the infinite number of agencies of self-help in the community. That has been the American way of relieving distress among our own people and the country is successfully meeting its problem in the American way to-day.

I have, indeed, spent much of my life in fighting hardship and starvation both abroad and in the Southern States. I do not feel that I should be charged with lack of human sympathy for those who suffer, but I recall that in all the organizations with which I have been connected over these many years the foundation has been to summon the maximum of self-help. I am proud to have sought the help of Congress in the past for nations who were so disorganized by war and anarchy that self-help was impossible. But even these appropriations were but a tithe of that which was coincidentally mobilized from the public charity of the United States and foreign countries. There is no such paralysis in the United States and I am confident that our people have the resources, the

initiative, the courage, the stamina, and kindness of spirit to meet this situation in the way they have met their problems over generations.

I will accredit to those who advocate Federal charity a natural anxiety for the people of their States. I am willing to pledge myself that if the time should ever come that the voluntary agencies of the country, together with the local and State governments are unable to find resources with which to prevent hunger and suffering in my country, I will ask the aid of every resource of the Federal Government, because I would no more see starvation amongst our countrymen than would any Senator or Congressman. I have the faith in the American people that such a day will not come.

The cities have made no call for Red Cross or Federal relief. The Red Cross is adequately carrying forward the needs for any charitable distribution of food and other supplies in the drought areas. In considering the adequacy of the relief given by the Red Cross in such areas it is well to understand the Red Cross system. In each county affected is a chapter of the Red Cross organized, officered, and conducted by local people of standing. That chapter exhausts its own resources before it calls upon the national organization for help. Every such call upon the national organization from any chapter anywhere in the United States has been met 100 per cent. The character and extent of the relief to be afforded is not determined by the national organization, but is determined by the local chapter whose officials are in close contact with the needs of the individuals to be relieved. There is abundant and convincing testimony that wherever needy persons have been located and would accept relief, such relief has been given them sufficient to maintain them in the standard to which they have been accustomed to maintain themselves. Such is the adequacy of the relief through the Red Cross and private agencies for food, clothing, and medical care.

With this deadlock between the President and the House on one side and the Senate on the other over the question of further relief holding up the whole legislative business of the Nation, a compromise was imperative and sensible. Through consultation with the President and with Senator ROBINSON a further relief item was agreed upon which has proven to be the key to the deadlock. This paragraph was accepted by the Senate and House conferees on the interior bill to-day, has been approved by the Senate, and soon will be by the House. This paragraph provides a new appropriation of \$20,000,000 which may be used by the Secretary of Agriculture to make advances or loans for the purpose of assisting in forming local agricultural credit co-operatives, livestock loan companies or like organizations, or increasing the capital stock of such corporations as are qualified to do business with Federal intermediate credit banks, and also to make advances to farmers for crop production and for further agricultural rehabilitation. Such loans to a farmer may, of course, be used for any purpose pertaining to crop production or agricultural rehabilitation.

It is a loan and not an act of charity and not contrary to the principles enumerated by the President in his message of December 2 and his attitude since that time as indorsed by the House.

This provision rounds out and completes a vast national relief program, in which the Federal Government has taken the leadership and a great part, but is cooperating with and not interfering with the efforts of State and local governments and the generous giving of our citizens through efficient existing organizations. It is my sincere hope that the agreement thus reached does pave the way to rapid disposition of the important legislation now before Congress, and that the adjournment of Congress on the 4th of March may be continued until its next regular session the first Monday in December without the intervention of any special session to disturb our economic program while we wait with hope the coming of the harvests of another year and the return of prosperity to our factories and our farms.

I move the previous question, Mr. Speaker.

The previous question was ordered.

The conference report was agreed to.

On motion of Mr. CRAMTON, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.



## DROUGHT RELIEF—EXTENSION OF REMARKS

Mr. FULLER. Mr. Speaker, the only issue involved is the conference report on the drought-relief amendment. Last fall the President called a meeting of the governors of the drought States and they agreed upon a program of loaning \$60,000,000 to the farmers in the areas affected. This character of a bill passed the Senate, but when it came to the House it was reduced to \$30,000,000, but through a conference agreement it was passed, carrying \$45,000,000. This measure was not what we wanted but the best obtainable. It provided only for seed, fertilizer, oil and gas for tractors, and feed for work animals. So much red tape was attached to it by the Secretary of Agriculture that it is of very little service to those seeking relief. It was then that the Senate attached a rider to a general appropriation bill providing that \$25,000,000 should be appropriated and delivered to the Red Cross for food, clothing, and medicine for the unemployed and those in the drought-stricken areas. This measure was bitterly opposed by the President and overwhelmingly defeated by his followers in the House. During the fight the Red Cross refused to accept the money, if appropriated.

Realizing that no relief was in sight because of the opposition of the President and the overwhelming majority of the Republicans in the House, the Senate agreed upon the compromise now being considered, providing for \$20,000,000 to be used in the drought-stricken areas of the United States. Under the terms of this compromise \$5,000,000 is to be loaned as capital stock to parties desiring to organize intermediate credit banks for the purpose of loaning money to farmers in the interest of agriculture. The purpose of this item is to build up rural credit, to loan money to farmers at a low rate of interest, to buy stock and feed for stock, to make crops, and make loans on other farm properties. If properly administered, it should enable the farmers to advance, to borrow money at a low rate of interest, and meet a much-needed rural-credit demand. The other \$15,000,000 is to be loaned to farmers for rehabilitation, for the purpose of making crops, and buying food for families and feed for all livestock. It is stated by the President and by the Secretary of Agriculture that it will be construed "fairly and sympathetically," and under the terms and provisions of this compromise farmers should be able to borrow a sufficient amount to buy food, clothing, and medicine for their families, feed and other necessary things to enable them to grow a crop.

While this measure may not go as far as some would desire, still at the same time it is much more than we originally asked. It is extending credit and not charity. The Red Cross is presumed to take care of those unable to borrow money by mortgaging their crops or by furnishing other security. The average American farmer in the drought area is not looking for charity; he is looking to this Government to assist him by loaning him money at a low rate of interest and giving him an opportunity to repay the same. The people of Arkansas have never sought charity. They have only asked for an opportunity to work and make an honest living. This is the first time in history the Red Cross has been called upon to help the rural communities in my district, except in a few instances of cyclones. We are a proud people, and this charity has been accepted only as a last resort, and then with flushed faces and tear-stained cheeks.

We can not comprehend how any one can seriously contend that this compromise is a "surrender." As a matter of fact, we had nothing to surrender. I think all realize that the President and the overwhelming Republican majority in the House would never have permitted, during this session, a measure to become a law which was donating money to feed the poor and distressed. It is probably true that the Senate could have successfully refused to pass the appropriation bills and thus forced a special session of Congress. In that event the special session would not have been called until June, too late to be of any service to the distressed in the agricultural communities. No statesman was ever able to get all he desired, or accomplish every task; it

takes broad-minded men, who have vision, leadership, and the interest of their constituency at heart, to be able to compromise. Instead of a surrender this so-called compromise is a most wonderful victory in behalf of the drought sufferers. Arkansas will ever hold in grateful remembrance the fight of its distinguished Senators. It was solely by reason of the fight made in Congress by the Senators and Representatives from the drought areas that the Red Cross was brought to a realization that at least \$10,000,000 more was needed to take care of the situation. The criticism that this compromise constitutes a surrender is comparable to the act of a pauper relinquishing his rights to a crown. I am still of the opinion, as expressed on the floor of this House on January 30, that this Government should have made an appropriation to purchase food, medicine, and clothing to relieve the distressed and hungry, but since I realize it is impossible to obtain that relief in time to save the situation, we should accept this compromise.

The Red Cross has once more demonstrated that it is not only an administering angel of mercy but it is meeting the situation to a most remarkable degree. Too much credit can not be given this worthy organization.

In a recent news item I read an account of a Dr. D. E. Cleveland, of South Dakota, having gone to Arkansas and dressed as a farmer went from house to house, from locality to locality, to learn the true situation; he returned home and caused 20 cars of produce and feed to be shipped to the State of Arkansas, including four cars of chickens to be distributed for rehabilitation purposes. This follower of the Lowly Nazarene, as well as the great people of South Dakota, Iowa, Nebraska, Minnesota, Montana, Kansas, Colorado, Michigan, and numerous other States, who have sent carloads upon carloads of produce, feed, and clothing into Arkansas for relief, will ever be remembered by a grateful and appreciative people.

They have demonstrated that there is no North or South, no East or West, and that the Mason and Dixon Line is no longer considered when American citizens are hungry and in distress. May these big-hearted Americans live long in this land they love, surrounded with plenty and their loved ones. And when at last the fires of life grow dim and they enter the deepening dusk, after many, many happy years, may the memory of their wonderful deeds of charity—of doing unto others as they would have others do unto them—fill their souls with peace and perfect joy. They have erected in the hearts of the people of Arkansas a monument that towers higher and will last longer than one built of marble or granite. In years to come their praise will be sung by children of Arkansas, yet unborn.

## RURAL-ROAD RELIEF

My greatest regret in regard to this relief matter is that we were not able, as originally contemplated, to borrow money from the Federal Government, to be repaid over a period of years, for the purpose of building rural and post roads not now on the State and Federal systems. At the convening of Congress we understood that this was in the relief program. In fact, the representative of the President, who came to Arkansas to ascertain the situation, assured us of this; and based upon that understanding I introduced a bill for this special relief. This kind of an appropriation would have built up the communities and given us farm-to-market roads in the rural communities, and it would have enabled the poor man back in the country district to have worked and thus avoided the necessity of charity. It would have enabled him to purchase the necessities of life, to make a crop without borrowing, and the humiliation of accepting charity.

For years I have been advocating aid from the Federal and State Governments to rural post roads, likewise known as farm-to-market roads. If we expect to build our counties to a higher standard, we must help those who are most in need. The building of these roads create a greater desire for rural life, allows rural mail service, often not obtainable, and better market facilities. In my opinion it is only a short time until this relief will be granted.



Mr. GLOVER. Mr. Speaker and Members of the House, we have heard much lately with reference to the drought of last year and the condition that it left our people in. The reports all show that the worst of this drought was in the good State of Arkansas, my native State. No one could describe to you in the short time allotted to me the horrible condition that has prevailed there. Arkansas is largely an agricultural State. We have never known before as we do now what it means to lose an entire crop or almost so.

We have around 2,000,000 of people in Arkansas that had not known before what a bread line really meant, and as many of them have seen in the last three months, nor did they ever expect to see this condition in this good State. The condition was brought on without fault of theirs by the parching sun which burned up their crops and left them with nothing as a yield for their year's work. No braver or more courageous people ever lived anywhere than live in this great State. They carried on by themselves as long as it was possible to do before calling for aid from the Red Cross or any other agency. If there had not been so many bank failures, they could have carried on longer without outside aid. We have had 146 bank failures in our State, partly caused by the drought. Seventy-six millions of dollars was loaned by the banks in Arkansas to make or attempt to make the crop of last year. With no crops made, of course, they could not collect and many of them failed, and those that did not fail, of course, were in no position to make loans for another crop. When this condition prevailed and our people had to have relief a call was made upon the Red Cross and they quickly responded. You who have listened to the many appeals we as Representatives of that State have made possibly thought that we were overdrawn the picture, but not so. The half has never yet been told. Many have gone hungry when their pride kept them from accepting anything from the Red Cross. They should not have taken this view of it, for that is the purpose of the Red Cross, and many of those who have received some aid from it have been contributors to this fund in the past and will continue to be in the future when they are restored to a normal condition and can do so.

Let us review the efforts made to get relief by acts of Congress. The Senate passed a bill appropriating \$60,000,000 for relief to be loaned to the farmer for the purpose of enabling him to help himself. When this bill came to the House and was sent to a committee, the committee reported it back with amendments cutting it to \$30,000,000 and limiting the use to which it could be put. One of its limitations was that the loan could only be used to buy seed, fertilizer, fuel oil for tractors, and feed for work stock. This bill was then passed and the bill went to conference and the conferees agreed upon the sum of \$45,000,000 and that became a law. The mistake in this bill was placing a limitation on what the money borrowed should be used for and prohibiting it from being used to buy food. Many persons could not accept this loan because they had to provide food for their families. I voted for the farmer to use this money as he saw fit. Knowing this would not give entire relief, the next relief proposed was to aid the Red Cross to take care of the great task that was before them. They first reported that they had \$4,500,000 to give relief with. I said on the floor of this House some time ago that this amount would be needed in Arkansas alone, and time has proven that I was right in my contention. It was then proposed to vote \$15,000,000 aid to the Red Cross and let them distribute it.

The party in power disapproved this measure and voted it down. I voted for it and would do so again.

When this was voted down some relief had to be enacted. An amendment was placed on the bill appropriating \$25,000,000 to the Red Cross to be administered by them in giving the necessary relief to those in need and this was declined by the party in power and by the Red Cross. I voted for it because I knew the dire distress my people were in and that they must have relief. The next move then made for relief was an amendment placed on the interior bill making an appropriation of \$20,000,000 to be loaned to the farmer

to buy food, clothing, and other things necessary to the making of a crop. This proposition has been agreed upon by the conferees and should be adopted by both houses.

The Legislature of Arkansas has just passed a bill which has been signed by Governor Parnell, of Arkansas, which gives \$1,500,000 more relief. We hope with all these measures passed that they will give the much-needed relief.

From this experience we should never forget that agriculture is the basis of all our wealth, and we should see to it that everything that can be done is done for agriculture.

The Red Cross has done a work in Arkansas that will justify its existence forever. It is my prediction that when Arkansas people get back on their feet and make a good crop that the Red Cross will soon have contributed back to it every dollar and more than it has so wisely expended there to relieve the distress in this time of need. As stated by the gentleman from New Jersey [Mr. FORT] in his speech over the radio, Arkansas has always been found taking her place for the defense of this great Nation. I want to take this opportunity to thank the gentleman from New Jersey [Mr. FORT] for the nice things he said in his address of Arkansas and her people, and, on behalf of my people, I not only want to thank him but I desire to say to him that Arkansas and all her people will ever have a warm place in their hearts for him.

We do hope that the Red Cross will not make the mistake of withdrawing aid to those that they are now furnishing in the drought district until they can care for themselves. It has been reported in the press that aid would be withdrawn about the 1st of March. If this should be done, many who can not help themselves by getting a loan will suffer for want of food. We hope that the Red Cross will continue their good work in Arkansas and other drought-stricken areas and see that no one suffers for food.

Mr. SANDERS of Texas. Mr. Speaker and Members of the House, a showman once had over the door of the main tent the words, "All sorts of turning and twisting done in here." These words would be appropriate over the door of the White House and over the door leading into the office of the Secretary of Agriculture, Arthur Mastick Hyde. It has been two months to-day since Congress passed the bill appropriating \$45,000,000 for the relief of the drought areas in 21 States of this Nation.

It is entirely appropriate to consider how that has "worked" up to this time before referring to the matter of \$20,000,000 additional appropriation now under consideration. It is interesting to note just here that when the drought-relief committees representing 21 States made their reports to the Secretary of Agriculture on October 20, 1930, at which time the National Association of Commissioners of Agriculture held its annual meeting in the city of Washington, it was the judgment of all, including the Secretary of Agriculture, that \$60,000,000 was the minimum amount which should be appropriated to take care of the situation.

Had not the President of the United States changed his mind and repudiated the work of his committee and had not the Secretary of Agriculture sneezed when the President took snuff and acquiesced in this change of mind on the part of the President, we would have been saved two months of wrangling here, and not only would we have been saved this time, but we would have been saved much money as a result of this wrangling, and many people would have been spared much suffering. This time so wasted could have been devoted to many pressing and important matters of legislation which will never be reached during this session of Congress because under the law we must quit on the 4th of March. This but shows the inefficiency of the Republican Party and its incapacity to function in the interest of the people. That party has a majority of 104 in this House, and therefore the Democrats can not initiate and pass legislation.

The result of the change of mind on the part of the administration has been the appropriation of \$68,000,000, which is \$8,000,000 in excess of the amount called for in the original report. The \$45,000,000 appropriated was left to the Secretary of Agriculture to lend under such rules and regulations



as he may prescribe. The Secretary of Agriculture has been quoted as saying that of this forty-five million appropriated, not more than twenty million would ever reach the farmers. I do not know whether the Secretary of Agriculture made that statement, but I think in view of the red-tape rules he has prescribed that the estimate is about correct. In fact, I very much doubt that twenty millions of the forty-five millions is used owing to the rules the Secretary of Agriculture has prescribed. I have received from the Department of Agriculture an application loan blank and their rules and regulations. It required a very large envelope to bring this "mess of literature" to me. There are nine of these delightful sheets. The first is labeled "St. L. Form No. 1," and comprises nearly four printed pages. It is dated December 30, 1930, which shows that it took 15 days to prepare it, as the bill was passed on December 15, 1930. It quotes the resolution passed by Congress, and then sets forth in considerable detail how loans may be made and contains the astounding statement: "Applicants must agree to use seed and methods approved by the Department of Agriculture, through its local representatives." Thus we behold bureaucracy run wild.

The astounding policy of the administration in dictating to the poor farmer just how he should farm. The next sheet in this aggregation of papers is labeled "St. L. Form No. 8," contains nearly four pages of small type, is dated December 30, 1930, and is signed by T. Weed Harvey, administrative officer in charge. This is a very illuminative document. The application blank is enough to give one a chill. While the instruction sheet quotes the law and the penalty, the Secretary of Agriculture is not content with that but in bold type at the top of the application he quotes the law again and lets the farmer know that if he makes any false representation for the purpose of obtaining a loan, "he shall be punished by a fine not exceeding \$1,000 or by imprisonment not exceeding six months, or both." He must give a long, itemized statement of how many acres he is to put in corn, the amount of money to be expended for such purpose, and make a like list of everything he plants and the amount of money to be used therefor, and, of course, he is limited in the amount for these various items. And after he fills out this long, itemized list there are a lot of blank lines preceded by these words: "State purposes and amounts for each." This application is accompanied by a promissory note printed on yellow—very appropriate—paper, a chattel mortgage, and a voucher form, in which he must tell his age, whether single or married, the number of children at home, and of these children he must state how many are sons over 12 years of age and how many sons and daughters under 12 years of age. He is required to give the size of his farm and must state whether he applied for a seed loan in 1929 or in 1930, and, if he did, he must further state whether he has paid it. He must list his mortgages and then he is advised that he can not get a loan unless all other mortgagors waive their rights. The Government must have the first lien, even though it may not be in the full amount which the capacity of the crop would stand.

If he gets this money, then he has cash for seed and fertilizer but nothing with which to buy food. And with his property all tied up by a first mortgage to the Government, how is he to purchase food for his family? The farmer has to certify that "because of encumbrances on my real estate and personal property and lack of funds, I am unable to procure help from any other source." If he is a tenant, the landlord has to waive his lien. After he has made his application, which is as complex and intricate as making out an income-tax report, and sworn to it, then a community committee has to pass upon it, and then it goes to a county committee to be passed upon again. Then, after the county committee passes upon it, they must answer the question, "What is his general reputation?" If the farmer is not dead from starvation or fright by this time, then the application must go to either Washington or Memphis for approval, where once more the applicant's entire affairs are looked over and approved by some swivel-chair bureaucrat who does not know any more about farming than a hog knows about the plan of salvation. Nat-

urally, all of this red tape has defeated the very purpose of the law. Some farmers in Kentucky have represented that the interest charges on a loan for \$50 amounts to 21 per cent; that on a loan for \$100 it amounts to 12.8. The interest is taken out of the principal and the borrower must pay interest almost a year in advance. On account of the red tape attached to the former appropriation, only 22 farmers out of 5,500 farmers at Marianna, Ark., could qualify for a loan. From Forrest City, Ark., comes the information through the newspapers that only a few farmers can offer acceptable collateral; that others who have collateral to offer can not avail themselves of the loan because they have nothing left to put up for food for themselves and starving family.

Now, inasmuch as the Secretary of Agriculture, who is an enemy of the farmer and a friend to big business, has so hamstrung the \$45,000,000 appropriation with red tape as to make assistance to the people who need it practically impossible, I can not get up much enthusiasm for this \$20,000,000 appropriation now under consideration in this conference report. A negro was in jail awaiting the time of his execution for a capital offense. Under the law the means of transportation for such an occasion was the use of a good stout rope. Just before the hanging date the legislature amended the law, providing that one may be electrocuted in preference to being hanged. This information was immediately conveyed to the negro by the sheriff, who notified the negro he could have his choice. The negro scratched his head and said, "Boss, I can't get up much enthusiasm for either one." So I repeat that, in view of the action taken by the Secretary of Agriculture, realizing that this report is virtually the same as the forty-five million appropriation, I think it should be defeated and that this Congress should pass a sane and sensible law and not be told in advance the interpretation that Congress intends. The Secretary of Agriculture has said that if this report passes he will administer it "sympathetically." If he means that he will give it the same "sympathetic interpretation" that he gave to the forty-five million appropriation, then God help the poor, unfortunate people who are starving. This report provides for loans to be made on security. The people who are able to give security can get the money from the bankers and do not have to depend upon the Government. This only helps those who can give security. Those who need it most can get nothing. The tenant farmer, who needs help most of all, can get nothing under this legislation. In a crisis like this it is the duty of the Government to protect the lives of its people.

The gentleman from New York [Mr. LaGUARDIA] voiced my sentiments when he said:

The highest duty of government is the preservation of life. The farmers and unemployed have asked for bread and we have given them a revised statute.

It is evident that if these destitute people were able to give security, they would not be destitute. Why pass them by as did the Levite the unfortunate man who was going down from Jerusalem to Jericho? Not much wonder that this Capitol was visited by the reds a few day ago. The tyranny of wealth makes the anarchy of poverty. The way to keep down the reds and communism is to administer this Government so that every citizen may realize that he is not being discriminated against, that he is getting a square deal, and then he will honor the Government, which, when properly administered, is the greatest that ever rose to bless a peoples' hopes or animate the aspirations of mankind. With all respect to our President, his attitude, to me is unfathomable. I thought that everybody in the United States who can read knew about the deplorable conditions not only in the designated drought areas but throughout the entire country. And yet he has ignored the reports of the drought committees and the members of his own party and sent an agent down in Arkansas recently to investigate the conditions. The newspapers said that agent of the President flew there in an airplane. In about four days that great "sympathetic" agent was back in Washington and reported the Red Cross taking care of the situation.



That report is at variance with all other reports and with the facts. Evidently that agent acknowledges but little allegiance to the truth.

Will Rogers, the great comedian and humanitarian, in speaking of the President's agent, said the conditions down there were so deplorable that a blind man could see it. I suppose it was giving the matter sympathetic consideration by viewing it from an airplane. Why all this talk about a dole? That plea has never been invoked before in all of our history as a nation, and during our national existence our Government has extended aid in times of calamity and distress more than one hundred times—not only in this country but to foreign countries. Webster defines a dole as follows: "That which is dealt out sparingly; a charitable gift of money or food." This Government has not given anybody anything. It has only provided for a loan, and the only relation it has to Webster's definition of a dole is the fact that it has been done "sparingly." A very regrettable thing in connection with this matter is that the Red Cross has suffered itself to be dragged into politics. It refused to accept the Government money. Why? Politics alone. It came to the rescue of the President. In the first place, the claim that the Red Cross has never accepted Government money is not true, if my recollection is correct. My recollection is that it did accept money from the Government one time during Taft's administration. Then the Red Cross, through its chairman, the Hon. John Barton Payne, claimed they could not use supplies. Mr. Payne gave this as his reason for not accepting \$500 worth of medicine which had been offered to the Red Cross by Mr. Howard Ambruster, of New York City. The fact is the Red Cross has on numerous occasions accepted supplies from the Government in the sum of \$3,739,874.49. Supplies totaling that amount of money were turned over to the Red Cross by the War Department for relief purposes, which said supplies were furnished to the Red Cross on 25 different occasions.

The fact is Mr. John Barton Payne should retire as the chairman of the Red Cross. In the past the Red Cross has done a splendid work, justly entitling it to the name, "angel of mercy." A man who will start it on a political mission has no business at its head. Let it come back to its old-time policy and humanitarian work, responsive at all times to that portion of our people, who, according to the beautiful lines of a minister of the Gospel, are begging for bread:

Begging for bread—in a plentiful land.  
Begging for bread—with a trade in his hand.  
Sound as a dollar, in heart and in head,  
Ready for work, and yet—begging for bread.

Begging for bread, but not begging alone;  
Now are they swollen to numbers unknown,  
Who weary the highways with heart-breaking tread,  
And swarm through our streets—begging for bread.

Begging for bread—with such stores on our hands  
We could feed the unfed of all habitable lands;  
Food rotted to order—starvation widespread—  
Organized waste—millions begging for bread.

Begging for bread—while the dividends still  
Choke the fat coffers and bulge Dives' till,  
"Coming out parties" increasing their spread  
And blessed in the name who are—begging for bread.

Chief of the Nation to-day on the air  
And all the big talkers—with language to spare,  
Urging the half poor, already well bled,  
To save our prosperity—begging for bread.

Mr. WHITTINGTON. Mr. Speaker, the act known as Public Resolution No. 112, approved December 20, 1930, providing \$45,000,000 for the purchase of seed, feed, and fertilizer in the drought area was inadequate. The statement of the National American Red Cross at the time of the passage of the said act that it had from \$4,500,000 to \$5,000,000 available to relieve human suffering in the drought area was far from satisfactory. Both the Government and the National Red Cross made mistakes. The mistake of the Government was intensified by the restrictions of the Secretary of Agriculture in the administration of drought-relief loans, and the position of the American Red Cross at the time of the passage of the said drought-relief measure showed very clearly that no comprehensive survey of drought-relief con-

ditions had been made and that adequate funds were not then in hand for the relief of human suffering.

Conditions went from bad to worse. The Red Cross discovered and admitted its mistake by suddenly, early in January, announcing that a campaign for \$10,000,000 would be immediately inaugurated for relief in the drought area. The Senate attached an amendment to H. R. 14675 making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, by appropriating \$25,000,000 to be disbursed by the American Red Cross. The House refused to agree to the amendment. The matter went to conference, and the pending amendment was agreed upon as a substitute for the original amendment proposed by the Senate. It has been termed a surrender. In my judgment it is a constructive compromise.

Legislation is usually the result of conciliation and compromise. The only hope of relief by the passage of the seed, feed, and fertilizer loan legislation was a liberal construction and administration. This bill authorized the Secretary of Agriculture to administer the act and to make loans for such other purposes incident to crop production as he might prescribe. Similar loans have been made in previous years, and I am advised that they have been helpful in the southeastern cotton States during the past three years. The administration heretofore was liberal. The debates, especially in the Senate, disclose that at the time the act authorizing the loan aggregating \$45,000,000 was passed it was intended that the loans could be used for necessities as well as for seed, feed, and fertilizer. I pointed out, as shown by my arguments on Monday, December 15, 1930, page 763 of the CONGRESSIONAL RECORD, and on Wednesday, December 17, 1930, page 987 of the CONGRESSIONAL RECORD, that neither the Government nor the American Red Cross had prepared to solve the problems of drought relief by the legislation for seed, feed, and fertilizer and by the funds then in the hands of the Red Cross for human suffering. My position has been vindicated.

From the first I advocated that people in the drought area be given an opportunity to help themselves. I urged production loans and credits. I felt that the American Red Cross would provide for human suffering and I urged loans by the Government. My program was loans by the Government and donations by the American Red Cross. Both the Government and the Red Cross blundered. The Red Cross has corrected its mistake, and I advocate the passage of the conference report and the adoption of the compromise amendment to correct the blunder of Congress. The pending amendment enlarges the scope of loans under the appropriation of \$45,000,000, and in addition appropriates \$20,000,000 in aid of drought relief.

#### THE AMENDMENT

The amendment under consideration in the conference report provides:

First. The appropriation of \$45,000,000 may be used for livestock as well as work stock.

Second. An additional appropriation of \$20,000,000 is made for the following purposes: (a) Advances or loans to individuals to assist in forming agricultural-credit corporations or increasing the capital stock of such corporations; (b) advances or loans to farmers for crop production for the crop of 1931 and for agricultural rehabilitation.

Third. All loans and advances shall be secured by liens on crops or by other security.

#### DOLE

The advocates of loans for crop production have never sought a dole. A dole was never contemplated. If a loan for feed for mules was justified, a loan for food for human beings is justified. Congress has shied the use of the word "food." In the pending amendment a broader term is used, and while I admit that the legislation is not candid, I will not oppose it because in shying at the word "food" a more inclusive term is used. Advances or loans for crop production, in the very nature of the case, include food, medicine, and other necessities for both man and stock. The labor of man is just as important as the labor of stock in the making of a crop.



I would advocate donations by the Federal Government whenever and wherever necessary to relieve human suffering. I believe, however, that all efforts of voluntary relief through the American Red Cross should be exhausted before donations are made from the Federal Treasury. Voluntary gifts to relieve human suffering and distress are preferable to legislative donations, and in the interest of the common welfare should be encouraged and maintained.

#### JUSTIFICATION

It is admitted that there is both reason and precedent for Federal appropriations in great calamities. Congress has made such appropriations, beginning with 1804. The purpose is to relieve suffering that can not be provided for by local and State agencies. Such appropriations, when made in behalf of other countries, foster international good will. Friendly relations are thus promoted. The brain is frequently reached through the heart. I believe that Congress will more readily provide for suffering at home than for relief abroad. I have confidence in my colleagues. They are as sympathetic as I am. The difficulty is to get them to understand local needs and local conditions. In drought-relief legislation they are governed very largely by the reports and recommendations of the Secretary of Agriculture.

Federal donations have been made to alleviate distress caused by wars, floods, cyclones, and earthquakes. Serious droughts are unusual in the United States. There is not the appeal or the publicity in the distress in the drought areas that obtains in the case of war or floods. The effects come slowly, as the rainless days and nights follow in long succession. But the result is none the less real. The damage is none the less enormous. There is universal paralysis of economic life, and the paralysis is just as certain when it is slow as it is when it is sudden.

I endeavored to emphasize, when the drought appropriation of \$45,000,000 was passed in December, 1930, that it would not meet the needs. Congress undertook to provide for the most serious drought in history by passing with an increased appropriation the usual feed and seed loans that have heretofore been made to relieve conditions more or less local. I have always had doubt as to the efficacy of these loans. I am now convinced that if the legislation is rigidly construed and administered but little relief can result in the cotton-growing States. The tenant system exists. It can not be eradicated overnight. There is the present need. The purpose is to relieve and not to reform. Whenever and wherever there is justification for Federal loans out of the Treasury with security the loans should be ample and provide for all necessities in crop production.

In the past 60 days, in the drought area in the Mississippi, and particularly in the Delta, the need for aid has been accentuated. The justification even for feed and seed loans by the Federal Government is that there are no sources of local credit. In the district that I represent the situation has become acute by the unprecedented number of bank failures during the month of December. Local credit is not available. Cotton is produced as a result of credit. The small farmer and the large planter borrow. They borrow from the merchant and from the local banks.

As a result of the exceedingly low price and the short crop of 1930, both banks and merchants failed. The national obligation for loans for crop production is now greater than ever. I urged 60 days ago that Congress should provide for loans to assist in the organization of credit corporations. The best way to help people in distress is to enable them to help themselves. The farmers of the drought area ask for loans. They do not plead for charity. The need and destitution in the drought area are comparable to the destruction following wars and floods. The United States must provide for the welfare of its own citizens whenever and wherever they are in dire distress.

#### RELIEF FOR FOREIGN COUNTRIES

I have had occasion to refer to the appropriation of \$100,000,000 for the relief of Europe on February 25, 1919, and to the appropriation of \$20,000,000 in behalf of Russia on December 22, 1921. I maintain that these loans and appropria-

tions are valid precedents for the pending compromise legislation. I know that Congress desires to do more for its own people than for the people of other lands. There must be no discrimination. It is well to keep in mind the facts in connection with these two appropriations. The Governments of Europe had broken down following the World War. There was a surplus of food and feed crops in this country following the deflation of 1920. Markets were needed for American farmers. Approximately \$84,000,000 of the \$100,000,000 appropriated in behalf of Europe in 1919 was covered by the obligations of the European Governments for repayment. Of the remainder, \$5,000,000 was unexpended, and about \$11,000,000 was a donation.

The \$11,000,000 was chiefly used in feeding about 6,000,000 war orphans gathered in great camps. Moreover, the donation, as well as the entire appropriation, was handled by the United States Grain Corporation. While alleviating human suffering, additional markets were provided for American products.

Nineteen million dollars of the \$20,000,000 appropriated in behalf of the suffering Russians in 1921 was matched by \$20,000,000 in gold by the Soviet Government, and the President of the United States raised from private sources in this country approximately \$38,000,000 more. The entire amount, aggregating \$77,000,000, was expended in the United States in the purchase of farm and other products, and as a result of the appropriation the American farmer in a time of great deflation was benefited.

#### NATIONAL INTEREST

A parallel situation exists to-day. There was an utter failure of food and feed crops in the drought area in 1930. At the same time, while the crops of corn and wheat elsewhere in this country are reasonably large, the price to the producer is very low. The people in the drought area need corn and wheat. They need food products. Loans for crop production in 1931 will promote business throughout the United States. It is impossible for a considerable portion of the country to suffer without a reflex influence on the other sections of the United States. The farmers are unable to pay the local merchants and local banks. In turn, the merchants and banks are unable to pay their creditors in other sections of the United States. The drought area is a good market for the manufactured products of the industrial sections of the country, as well as for the farmers of other sections of the country. The rehabilitation of the drought area will be for the common benefit of our common country.

#### PRODUCTION CREDIT

The credit problem in the drought area is acute. There has been a complete breakdown in credit facilities. Banking has been greatly weakened. Many farmers and planters have security, but are unable to obtain credit. The truth is that the original appropriation of \$45,000,000 was in language broad enough to enable loans for food. With all deference, the Secretary of Agriculture has hindered the program by restricting the loans. He has been determined not to use the word "food." This determination was manifested in his letter to Hon. WILL R. WOOD, chairman of the Appropriations Committee of the House of Representatives, on February 7, 1931, as shown by the CONGRESSIONAL RECORD of that date, page 4273. The Secretary's attitude is responsible for a letter written by the President of the United States to Senator JOE T. ROBINSON on February 9, 1931, as shown by the CONGRESSIONAL RECORD of that date, page 4317, in which the President stated that the Secretary of Agriculture would interpret the pending legislation fairly and sympathetically. But the Senate was not satisfied with the President's letter. The Secretary of Agriculture had gone out of his way to avoid the use of the word "food" in connection with the pending amendment or any drought legislation. In response to a resolution by Senator WILLIAM E. BORAH, adopted by the Senate on February 11, 1931, asking the Secretary for an interpretation of the act, he responded on February 12, 1931, and stated that the compromise agreement does provide for loans, with security, for food and other necessary supplies.



The Secretary of Agriculture, the Hon. Arthur M. Hyde, however, is not the sole judge of the intent and purpose of the legislation. The language speaks for itself. The responsibility of the law is with Congress, and the intent of Congress in passing any legislation should govern and control. It is the province of the Secretary, as a branch of the executive arm of the Government, to execute the laws.

Under the pending amendment millions of dollars will be available as loans to individuals in forming local agricultural credit corporations, or in increasing the capital stock of existing corporations, with the capital stock as security. Here we have constructive aid. Here we have helpful legislation. I have advocated such aid ever since Congress convened. I have promoted similar legislation at every opportunity. The maximum loan of \$2,000 prescribed by the Secretary of Agriculture under the \$45,000,000 appropriation is of practically no benefit to the cotton planter. At the same time the Government is trying to make provisions for individual farmers. Credit associations are essential for financing the cotton planters. The entire Mississippi Delta district is in the drought area. Without loans, at present unavailable, irreparable injury will result. The only reasonable expectation of financing cotton planters is through agricultural credit corporations. Both the large and small operator are entitled to aid. It is important that the act be fairly and sympathetically administered. Local capital for credit corporations is not available. Many large cotton planters, who feed and clothe destitute tenants, have lost enormously as a result of the drought and depression.

If given an opportunity, they will rehabilitate. If fairly and sympathetically administered, the compromise amendment will promote the adequate financing of the cotton growers in the drought area.

The Secretary of Agriculture is authorized to make available loans to farmers for crop production for the crop of 1931 and for further agricultural rehabilitation. Under this provision the farmer and the small operator should be able to obtain reasonable loans, with their crop as security, for production in 1931. Loans can be made with which to buy food and feed. For reasonable amounts, the security of the crop is ample. Such loans will be especially beneficial to the farmers where there are no agricultural credit corporations. Sufficient loans to cotton planters should be made without unreasonable restrictions as to amounts.

#### EMERGENCY

There has been entirely too much careless thinking and certainly too much irresponsible talking during the consideration of the problems in connection with drought relief. It is now time for action. An emergency exists. Too much charity results in loss of morale. The cotton farmers are not begging. They desire to work. They ask for bread and they are willing to work to repay their loans. The cotton growers ask for an opportunity to help themselves. The relief has been too long delayed. There is a real emergency. The legislation should be passed immediately. The blunders of both Congress and the Red Cross will thus be rectified. The approval of the pending compromise measure will be beneficial to the drought area in 24 of the 48 States of the American Union. Its immediate passage will bring renewed hope to a despairing and desperate but proud and patriotic people.

#### NATIONAL RED CROSS

I have not advocated appropriations from the Federal Treasury to be disbursed by the National Red Cross. I have favored the completion of the campaign, properly inaugurated, for \$10,000,000 for additional drought relief. The United States is definitely committed to the relief of suffering through voluntary contributions. I believe that the mission of the Red Cross would have been hindered by a Federal appropriation to carry on its work. The generous will always respond to the call of need and to the cry of suffering. Voluntary contributions help not only the giver, but promote human sympathy. Federal donations to supplant personal contributions would dry up the springs of charity and the wells of sympathy.

I do not indulge in criticism at any time unless I endeavor to be constructive. The people I represent were the beneficiaries of the ministrations of the American Red Cross following the great flood of 1927. We recognize that the American Red Cross is the greatest mother in all the world. We are grateful for the aid of the past and for the assistance of the present. I believe that the passage of the compromise agreement will strengthen the American Red Cross.

#### ADMINISTRATION

The passage of the compromise amendment will complete appropriations that aggregate \$67,000,000 for the drought area. Two million dollars has been appropriated for public health and to eliminate disease; \$45,000,000 has been appropriated for feed, seed, and fertilizer; and now \$20,000,000 has been provided for production credits. The administration of the law is in the hands of the Secretary of Agriculture. He prescribes the rules and regulations. I believe that the congressional intent will be effectuated in the administration of the law. The purpose is to provide Federal loans where there is no local credit. The aim is to finance the farmer in the drought area for crop production in 1931. If fairly and sympathetically administered, the drought-relief legislation will be of great benefit. The return to happiness and prosperity will be promoted. The courage and initiative of the people will be revived. The morale of the citizenship will be strengthened. The people in the drought area will gladly continue to support the Government rather than expect the Government to support them.

Mr. CONDON. Mr. Speaker, this conference report has been called by some a compromise and by others a surrender. For my part I care not what it may be called. Surrender or compromise; call it what you will, but the starving millions of unemployed in the great cities of our country will find in its provisions no recognition of their pitiable condition, no helping hand stretched out from this great Government to succor them in their distress. They are forgotten; nay, they are deliberately and coldly ignored. In response to their cry for aid they are told to beg from their neighbors. At the behest of the great humanitarian in the White House this Congress turns toward them a deaf ear and a blind eye.

This is the thing that fills me with disgust when I reflect upon the weeks of wrangling that have dragged their slow length along in this House and in the Senate over this all-important problem of human relief. The amended bill which came to us from the Senate provided \$25,000,000 for unrestricted relief of human suffering wherever it existed throughout the land. This Senate amendment was, in my opinion, a great triumph of humanity over mere doctrinaire theories of government. It was a splendid victory in a noble cause. It reflected honor on the men who achieved it in the face of a tremendous deluge of propaganda having its head center in the White House, but unfortunately, and to the dismay and despair of suffering millions, and their friends in this House, the Republican majority, misled by their leaders who control things here, voted down that amendment.

The evil results of that ill-advised action are before us to-day. This conference report, which we must either approve or reject without opportunity for amendment, gives a limited, narrowly circumscribed measure of relief to the destitute sufferers of the drought and nothing to the despairing millions of unemployed.

I hope this compromise will, in some measure at least, relieve the distress of the farmers in the sorely stricken States of the drought area, though I very much doubt it will, and I am going to vote for it as I have voted for other relief legislation. It is my further hope, though perhaps a vain one, that before this Congress dies by constitutional limitation on the 4th of March the Republican leaders who now control it will initiate and pass some legislation for the relief of the unemployed in the great industrial centers of the Nation. The widespread suffering and misery existing in these places, and which has existed for many months past, is getting beyond the scope and power of local agencies of relief, both governmental and charitable, to deal adequately with it. It has long since become a great national problem freighted with sinister possibilities, and the



Congress of the Nation ought to set itself resolutely to its solution. Only the great resources of the Federal Government are adequate to meet the emergency. Already demonstrations and near riots have occurred in the larger cities and all signs indicate that present deplorable conditions daily continue to grow worse instead of better.

Something must be done and that speedily. It will not do to blame these demonstrations on communism or any other ism always convenient and ready at hand for those who find it easier and much pleasanter to believe that we are living in the best of all possible worlds and times rather than face stern realities. That is not the way of statesmanship. It ought not to be the way of the great Congress of the United States. These demonstrations mean just one thing—stark hunger and despair. This administration and this Congress, which it controls, can, if it will, help these millions of unemployed to bear their heavy burden of suffering and of misery. They are the innocent victims of an economic system which they did not create and over which they have no control, but a system with which the present Republican administration has had much to do, and, therefore, it is, or ought to be, the first and foremost duty of the accredited leaders of this administration to seek and find a remedy for our economic ills.

If this Congress adjourns with nothing done for the unemployed and the increasing millions of them are callously left in their present desperate condition of mendicancy, then, indeed, is the Republican leadership of this House storing up for itself the wrath to come. For my part I am willing to stay here until some such legislation is passed, and I look to the majority to do something about it. I have been here long enough to know by this time that unless such legislation emanates from the majority side—that is to say, bears a Republican tag or brand—it will not pass. Therefore, the responsibility for action rests upon those who so jealously covet the honor and claim the credit of legislating in this body.

Will the Republican leaders shoulder this great responsibility or will they run away from it?

SHELDON R. PURDY

The Clerk read the title of the next bill on the Private Calendar, S. 745, for the relief of Sheldon R. Purdy.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

Mr. EATON of Colorado. Will the gentleman withhold his objection?

Mr. STAFFORD. I will.

Mr. EATON of Colorado. I think there must be some misapprehension on the part of the gentleman from Wisconsin. Notwithstanding the words that may be used this bill may be said to be a reward for services, but it is in fact following a practice of the Department of the Post Office which has been in effect for at least six years.

Ten years ago there was finally adopted a statute setting forth a scheme for handling the dead letters, which has saved the United States \$100,000 a year for the past 10 years.

It has been said that some one else took the credit. If that be so the senior Senator from the State of Colorado is the one who in 1921 commended the excellence of the suggestions of Mr. Purdy for the work that he did while a postal carrier in the general office, after which he was transferred to be a postal clerk at Fitzsimons Hospital. He was since retired. During the six years two other changes suggested by him were made in the scheme in handling the post-office affairs.

For more than 35 years Sheldon R. Purdy was a faithful employee of the Denver Post Office, serving most of the time as a letter carrier. Finally he had charge of the branch office at Fitzsimons Hospital.

During all of this time he was not content with the mere manual service incident to his daily tasks. He gave some thought to what he saw about him. He considered and submitted ideas for the betterment of the service to the patrons of the post office. He was always in a subordinate position, although it clearly appears that he had capacity for more

important posts. That he was not more forward and persistent in submitting his ideas and claiming reward and recognition for them is to his credit as a man, but I submit that he should not be penalized to-day because of those traits of character.

Senator PHIPPS, of my State, recognized the worth of some of Mr. Purdy's ideas and made them effective by act of Congress. And thereafter it was considered proper by the Senator, the Postmaster General, and the Bureau of Efficiency to recommend that Purdy be rewarded, as others in the Post Office Department have been rewarded for the betterments of the service which they have suggested. In fact, one of the suggestions of Purdy some 10 years ago was that the Post Office Department reward its employees whose ideas and inventions were made use of by the United States.

This plan was adopted and, as I understand, it was put into effect the year after Purdy retired. Had the plan been in force at the time of the adoption of any one or more of Mr. Purdy's suggestions he would have automatically been rewarded therefor. I am informed that since the date of the adoption of that system in the Post Office Department from \$1,500 to \$5,000 per year have been paid to employees as such rewards. I am informed that the present Post Office Department appropriation bill carries an amount of \$1,500 for this purpose to be used during the fiscal year 1932.

It was Mr. Purdy's suggestions of 1921 which resulted in the adoption of the plan now in daily practice of advising the general public of the business and interesting details of operating a post office, which has resulted in a much better understanding to-day than heretofore of the problems of mailing by business men and other local users of mail.

This order of the department is found in Postal Bulletin dated September 1, 1923.

The handling of the directory service was also something that attracted Purdy's attention and aroused his ingenuity. As a result of his persistence the departmental officials finally considered the annual cost of \$1,740,000 upon directory service to some two hundred million letters annually for necessary work and clerk hire. His views that the return of such letters would require the sender to correct his own mistake, furnish another envelope and 2-cent stamp, and make proper changes in mailing list, finally became the result of departmental general orders issued March 21, 1923. It is not necessary here to repeat the beneficial results obtained therefrom.

The most productive proposal of Mr. Purdy's was the imposition of a 3-cent charge on dead letters returned to senders. It has produced an average of almost \$100,000 per year to the United States. This amount has been annually collected by the United States as a result of the earnest, persistent efforts of this one of Denver's letter carriers, Sheldon R. Purdy. It will be noted that experience has justified Purdy's principal argument that if the charge were imposed it would result in less work for the Government, better service to the public, and there would be revenue derived from the service rendered for what heretofore had been only dead and expensive work. In other words, the results show that the public has become more careful in addressing mail, as evidenced by the fact that the receipts are beginning to drop, while the totals of letters and packages mailed have steadily increased.

It is true that it was Senator PHIPPS who sponsored Mr. Purdy's ideas, and possibly Purdy was not given the credit to which he was entitled for a long time, for the act of Congress of April 24, 1920. But it is also Senator PHIPPS who has recognized Mr. Purdy's worth and introduced and obtained passage in the Senate of the bill which is now before us.

The Postmaster General's letter shows a careful reconsideration of all previous objections, and, I submit, the gentleman ought to do the same. In the last letter sent to the House Committee on Claims by direction of the Postmaster General the latter states:

On similar measures introduced in previous Congresses the department has taken the view that no award was due Mr. Purdy for the reasons that the system of charging a fee for the return of such letters was not novel with Mr. Purdy but had, in fact, been in use at an earlier period under specific legislative authority.



The department does not now adhere to this view. It seems to be conceded that Mr. Purdy was largely instrumental in securing the adoption of the legislation presently in force; and, since his efforts in this behalf went beyond the scope of his employment, there would be no objection to the enactment of a bill, such as S. 1045, giving him a reasonable compensation.

I emphasize the statement of the Postmaster General. He now states that "the department does not now adhere to this view." I submit that the gentleman from Wisconsin ought to do the same and state that he no longer insists upon his objection.

Mr. STAFFORD. Let me say to the gentleman that this bill has been under consideration once before. Here is the report from the Post Office Department, dated May 12, 1930, which says:

On similar measures introduced in previous Congresses the department has taken the view that no award was due Mr. Purdy for the reasons that the system of charging a fee for the return of such letters was not novel with Mr. Purdy but had, in fact, been in use at an earlier period under specific legislative authority.

With that positive position of the Post Office Department, does the gentleman think we ought to vote \$5,000 to this man? Mr. Speaker, I object.

A. N. ROSS

The Clerk read the title of the next bill on the Private Calendar, H. R. 2083, for the relief of A. N. Ross.

The SPEAKER. Is there objection?

Mr. PATTERSON. Reserving the right to object, I would like some explanation of this bill. I am inclined to object to it.

Mr. GOODWIN. This bill is to give credit to the disbursing officer of the Federal Trade Commission. A man by the name of White was appointed by the Federal Trade Commission as an expert in rate matters. His legal residence was in Minneapolis. He performed his work for the commission in the city of Washington. The Comptroller General held that his legal residence was Washington and that the per diem that had been paid him in place of subsistence should be charged back to the disbursing officer, who was held responsible for the amount of money that he had paid. If this bill does not pass, then the department charges back to the salary of the disbursing officer the amount of money that was paid out, as the comptroller holds, illegally.

Mr. COLLINS. Is this a bill to relieve the surety company?

Mr. GOODWIN. No; it is for the disbursing officer.

Mr. COLLINS. The suit was instituted against this man and his surety company?

Mr. GOODWIN. I do not know about that.

Mr. COLLINS. I have a statement from the Comptroller General which indicates that the bill ought not to pass.

Mr. STAFFORD. I notice that the chairman of the Federal Trade Commission reports on the bill favorably. It does not give the date.

I had gone over this carefully and did not mark it for objection.

Mr. COLLINS. I have it marked as the gentleman has it marked, but I have a letter here written to the chairman of the committee by the Comptroller General which rather indicates that this bill is in reality for the relief of the surety company.

Mr. GOODWIN. My understanding is that it is for the relief of the disbursing officer.

Mr. IRWIN. If the insurance company had to pay, it naturally would come back on the officer. They are going to get their relief from this party if the insurance company has had to pay.

Mr. STAFFORD. If the party is not responsible, then the insurance company has to pay.

Mr. IRWIN. Yes; but in this case the party being responsible naturally the insurance company would come back on the individual.

Mr. PATTERSON. The gentleman feels sure if this is not paid that it will be a personal loss to the employee?

Mr. IRWIN. Yes.

Mr. COLLINS. The comptroller says it is well settled that an officer entitled under the law and regulations to

traveling expenses when traveling in the discharge of his official duties is not entitled to expenses incident to travel during the time that he is at his office, residence, or headquarters, this for the reason that he is not in a traveling status, etc.

Mr. IRWIN. Mr. Speaker, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. IRWIN. These disbursing officers like everyone else are human, and they make mistakes. It was paid out, of course, and he was under bond, but the bond is going to hold this man. This is in the interest of the man who did this in good faith, and in the opinion of the committee he should receive relief.

Mr. COLLINS. Still withholding the right to object, as I understand it, this man spent his time in Washington. He was here for 16 months. As I understand it, he claims one place as his official residence, but in the place that he calls his official residence he spent practically no time whatever. It seems to me that his official residence ought to be at the place where he spends the major part of his time.

Mr. GOODWIN. The Federal Trade Commission held that this employee, this expert, had his legal residence in Minneapolis, and payments were made on that account for a long period of time. He knew nothing about where this man's residence was. The commission itself had authorized payments to be made to him on the basis of his legal residence and his actual home being in the city of Minneapolis.

Mr. COLLINS. That is what I state. The gentleman is undertaking by this bill to hold that his official residence was at Minneapolis.

Mr. GOODWIN. Yes.

Mr. COLLINS. And during that particular time he spent 16 months in Washington and 2 days in Minneapolis.

Mr. STAFFORD. But he was performing his work almost gratuitously here in Washington and did not receive any allowance for that service. It is true that his home was in Minneapolis.

Mr. COLLINS. This work was done in Washington here and he is not entitled to traveling expenses.

Mr. STAFFORD. But he was not receiving any substantial pay for that service while in Washington, not even a per diem pay for his services, as I recall the case.

Mr. COLLINS. He received a salary, did he not?

Mr. STAFFORD. I question whether he did.

Mr. COLLINS. I think we better let this bill go over. I would like to go into it a little further.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. I object.

NORTHERN TRUST CO.

Mr. BURTNESS. Mr. Speaker, I ask unanimous consent to return to Calendar No. 674, H. R. 305, for the relief of Northern Trust Co., the trustee in bankruptcy of the Northwest Farmers Cooperative Dairy & Produce Co., a corporation, bankrupt.

The SPEAKER pro tempore. Is there objection?

Mr. COCHRAN of Missouri. Mr. Speaker, reserving the right to object; we have been sitting here all afternoon. That bill has had its day in court early in the day. If we should go back to one bill, we are going to go back on a lot more. I think we should go on with the calling of the calendar and let those who have not had their opportunity have their bills considered to-day.

The SPEAKER pro tempore. Does the gentleman object?

Mr. COCHRAN of Missouri. I object.

R. K. STILES & CO.

Mr. GUYER. Mr. Speaker, I ask unanimous consent to return to Calendar No. 698, H. R. 7849, for the relief of R. K. Stiles & Co.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GUYER. Mr. Speaker, I ask now that the Clerk read the amendment that has been proposed.

Mr. STAFFORD. It was with the understanding that the gentleman is going to adopt the amendment.



Mr. BLANTON. Mr. Speaker, the period of objection is not yet passed. We have just returned to the bill, but it was understood it was with the condition that the amendment suggested by the gentleman from Wisconsin is going to be accepted and adopted?

Mr. GUYER. Yes.

Mr. BACHMANN. But nobody has had an opportunity to know what the amendment is. How can you agree that you are going to pass the bill with an amendment that nobody has seen.

Mr. BLANTON. Unanimous consent has been given to return to the bill, but the objection stage is present right now.

Mr. BACHMANN. I reserve the right to object to the present consideration of the bill.

The SPEAKER pro tempore. The gentleman from West Virginia reserves the right to object.

Mr. BACHMANN. Reserving the right to object, I would like to inquire of the gentleman the purport of the amendment which he expects to offer.

Mr. GUYER. I ask that the Clerk may read the amendment.

The SPEAKER pro tempore. Without objection, the Clerk will report the amendment for the information of the House.

The Clerk read as follows:

In line 6, after the second "of," strike out "\$1,138.68," and insert in lieu thereof "\$569.34," and in line 7 insert after the word "representing" the words "one-half of."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BACHMANN. Still reserving the right to object, I would like to inquire the purpose of the amendment.

Mr. GUYER. The purpose of the amendment is to cut in two the cost of this wall. When this matter was before the House before, it was discussed in this manner. This was an inner wall of a cemetery where a lot of good Indians were buried, and they were falling out upon private property; and the contract of the Government and the city of Kansas City read that the authorities of Kansas City must lay, construct, and maintain the necessary retaining walls, outside walls, along the boundaries of such cemetery abutting on the street.

This wall, which the Government built 30 years ago to hold these Indians in the cemetery, fell down in the great rains of 1929, and the city of Kansas City had no obligation whatever to build that, but when this bill came up before, my friend, the gentleman from Mississippi [Mr. COLLINS], in discussing it said:

Mr. GUYER, if you will have the city of Kansas City pay half of it, I will not object to the bill.

I said, of course, I did not know what the city would do. I was mayor of a city once, and I know what a city council might not do. So I went back and they agreed to do that. In January they not only paid for half of it, but they paid interest upon the money from that time, because the authorities of Haskell Institute, the Indian school near by, gave them the right to build the wall upon the cemetery property, and they built the wall. I hope nobody will object.

Mr. STAFFORD. I understand the gentleman is willing to strike out the interest clause?

Mr. GUYER. Certainly.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. K. Stiles & Co., of Kansas City, Kans., the sum of \$1,138.68, representing the sum expended by said R. K. Stiles & Co. in the reconstruction of a retaining wall between its property in the city of Kansas City, Kans., and the Wyandotte Indian Cemetery at Kansas City, Kans., which collapsed on June 1, 1929, and repairing damage to buildings on its property as the result of such collapse, together with interest at the rate of 6 per cent from August 15, 1929.

With the following committee amendment:

Page 2, lines 4, 5, and 6, after the word "collapse" in line 4, strike out the remainder of the paragraph.

The committee amendment was agreed to.

Mr. GUYER. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GUYER: In line 6, page 1, after the second word "of," strike out "\$1,138.68" and insert in lieu thereof "\$569.34," and in line 7 insert, after the word "representing," the words "one-half of."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

NORTHWEST FARMERS COOPERATIVE DAIRY & PRODUCE CO.

Mr. COCHRAN of Missouri. Mr. Speaker, the gentleman from North Dakota [Mr. BURTNESS] explained that when his bill was reached on the calendar he was attending on official business at a department and could not be here. Therefore I withdraw my objection to his request to return to that bill.

Mr. BURTNESS. Mr. Speaker, I ask unanimous consent to return to Calendar No. 674 the bill (H. R. 305) for the relief of Northern Trust Co., the trustee in bankruptcy of the Northwest Farmers Cooperative Dairy & Produce Co., a corporation, bankrupt.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota to return to Calendar No. 674?

There was no objection.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Reserving the right to object, I would ask the gentleman to explain the purpose of the bill.

Mr. BURTNESS. This bill is simply for the relief of a cooperative creamery company, so that it may have refunded to it certain taxes illegally collected from it under a ruling of the Commissioner of Internal Revenue.

Mr. BLANTON. Will the gentleman yield?

Mr. BURTNESS. I yield.

Mr. BLANTON. The reason I objected to the bill before was that Secretary Mellon said it was not just and should not be paid. He also stated that the Bureau of the Budget recommended it was against the financial program of the President. Upon those two strong recommendations I objected to the bill.

Mr. BURTNESS. Well, the gentleman understands that the Secretary of the Treasury did not pass upon the merits of the case at all, but simply held that the statute of limitations would have to be waived in order to repay it.

Mr. BLANTON. Well he refused to recommend it.

Mr. BURTNESS. He refused to recommend the bill, of course, but the equities of the bill, if they could be explained, are such that I am sure the gentleman would not object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Northern Trust Co., of Fargo, N. Dak., as the trustee in bankruptcy of the Northwest Farmers Cooperative Dairy & Produce Co., a corporation, bankrupt, out of any money in the Treasury not otherwise appropriated, the sum of \$4,914, with interest thereon at 6 per cent per annum from and after September 26, 1919, to reimburse said corporation for stamp taxes paid by it under department rulings upon butter containing more than 16 per cent moisture and which ruling was declared invalid by the Supreme Court of the United States in the case of *Lynch v. Tilden Produce Co.* (265 U. S. 315).

With the following committee amendment:

On page 2, lines 1 and 2, strike out "with interest thereon at 6 per cent per annum from and after September 26, 1919."

The committee amendment was agreed to.



The bill as amended was ordered to be engrossed and read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

ROLAND ZOLESKY

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to turn to Calendar No. 665, H. R. 1889. The gentleman who objected informs me he made his objection through inadvertence, and now withdraws his objection.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to return to Calendar No. 665, H. R. 1889. Is there objection?

Mr. COLLINS. Mr. Speaker, I object.

MRS. A. K. ROOT

The Clerk called the next bill, H. R. 5523, for the relief of Mrs. A. K. Root.

Mr. PEAHEY. Mr. Speaker, I ask unanimous consent that Senate bill 2854, identical with the House bill, be substituted for the House bill.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to substitute Senate bill 2854 for the House bill. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, what amount does the Senate bill carry?

Mr. PEAHEY. Two thousand five hundred dollars.

Mr. BLANTON. Did it carry \$5,000 to begin with?

Mr. PEAHEY. Originally, yes.

Mr. BLANTON. But the amount is now reduced to \$2,500?

Mr. PEAHEY. Yes.

Mr. BLANTON. And you are asking that the sum of \$2,500 instead of \$5,000 be carried in the Senate bill?

Mr. PEAHEY. That is correct.

The SPEAKER pro tempore. Is there objection?

Mr. PATTERSON. Mr. Speaker, reserving the right to object, I want to ask my colleague from Wisconsin this question: What was the grade of this office? I notice the report states that the reason this postmistress did not file a compensation claim was because she did not know she was entitled to it.

Mr. PEAHEY. This postmistress did know where her remedy was and she did address a letter to the United States Employees' Compensation Commission, but the commission says that letter was never received by them, or, at least, they can not find a record of it. But the lady says she did send such a letter, and makes an affidavit to that effect.

Mr. PATTERSON. What class post office was it?

Mr. PEAHEY. A third-class post office.

Mr. PATTERSON. It looks to me as though she should have followed up that letter. I do not want to do any injustice to any employee or worker of the Government, but it does look to me as though the postmistress of a third-class office should have followed up that letter; if she did not hear from it that she should have followed it with another letter and had her claim considered in the regular and orderly way.

Mr. PEAHEY. May I answer the gentleman by saying that the lady did follow it up so far as her knowledge permitted her to go?

Mr. PATTERSON. It looks to me as though the postmistress of a third-class office ought to have had knowledge enough to follow it through; but I am not going to object.

Mr. BACHMANN. Reserving the right to object, does not the gentleman feel this bill should be amended so that this amount will be in full settlement of any claims against the Government?

Mr. PEAHEY. I will accept that amendment.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I would like to ask my colleague whether he will agree to accept the usual attorney's provision?

Mr. PEAHEY. There is no attorney in the case, and therefore I would have no objection to such an amendment.

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 to Mrs. A. K. Root, as compensation for injury received in the line of her duties as postmaster at Clam Falls, Wis.

Mr. BACHMANN. Mr. Speaker, I offer an amendment. In line 6, after the word "Root," strike out "as compensation" and add "in full settlement of all claims against the Government."

The SPEAKER pro tempore. The gentleman from West Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: Page 1, line 6, after the word "Root," strike out the words "as compensation" and insert in lieu thereof the words "in full settlement of all claims against the Government."

The amendment was agreed to.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: At the end of the bill insert the following:

"Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney, or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill was laid on the table.

WARRANT OFFICER EDWARD F. MCCARRON, UNITED STATES ARMY

The Clerk called the next bill on the Private Calendar, H. R. 416, to equalize the basis for longevity pay and retirement of Warrant Officer Edward F. McCarron, United States Army.

Mr. PATTERSON. Mr. Speaker, I object.

UNITED STATES BANK OF ST. LOUIS, MO.

The Clerk called the next bill on the Private Calendar, H. R. 4084, for the relief of the United States Bank of St. Louis, Mo.

Mr. STAFFORD. Mr. Speaker, I object.

Mr. COCHRAN of Missouri. Will the gentleman withhold his objection a moment?

Mr. STAFFORD. I withhold it.

Mr. COCHRAN of Missouri. The gentleman from Wisconsin has been waiting for a meritorious bill to come along, and here it is.

Mr. STAFFORD. Several have been passed.

Mr. COCHRAN of Missouri. All the afternoon the gentleman has been waiting for this kind of bill. The only reason, I understand, the gentleman from Wisconsin does not desire this bill to go through is because at one time in his career, when he was having a little vacation here, he had a case of this character and was unable to secure favorable action at the Treasury Department. Now, here is the situation—

Mr. STAFFORD. The gentleman is way up in the air. The gentleman is engaging in vagaries. Why, Mr. Speaker, if there was any basis whatever for the gentleman's statement, I would permit him to continue, but he is so far from the path of fact that I think I must enter the objection right now.

Mr. BACHMANN. Will the gentleman withhold his objection a moment?

Mr. STAFFORD. Yes.

Mr. BACHMANN. Does not the gentleman think it is a hardship upon this taxpayer to have to pay the same item twice?



Mr. STAFFORD. There have been any number of instances called to my attention recently where taxpayers have made a mistake in the returns they have made. This would open up hundreds, if not thousands, of similar claims for refunds.

Mr. BACHMANN. That may be, but here is a plain case where the taxpayer paid the same thing in 1921 that he paid in 1920 and it was paid for the same item.

Mr. COCHRAN of Missouri. He is paying the same item twice. The auditors of the department admit that he has paid the money twice and they say he should have this money back.

Mr. STAFFORD. I will go over this again before the calendar is again called and, if I am in error, I shall ask unanimous consent to return to the bill. For the time being, I object.

CHARLES THOMAS AND EDGAR THOMAS

The Clerk called the next bill on the Private Calendar, H. R. 303, for the relief of Charles Thomas and Edgar Thomas.

Mr. ARENTZ. Mr. Speaker, I object.

Mr. O'CONNOR of New York. Will the gentleman reserve his objection?

Mr. ARENTZ. I reserve the objection.

Mr. O'CONNOR of New York. I wish to call the gentleman's attention to the bill and to the report of the department.

Mr. ARENTZ. If the gentleman will read this bill, pages 2 and 3, he will find it is the greatest monstrosity of a bill that he has ever read in his life. I have no objection to the purpose of the bill itself, but unless the bill is amended so it will be in decent, legislative form, I shall object.

Mr. O'CONNOR of New York. Then why does not the gentleman amend it?

Mr. ARENTZ. I can not, in a moment, amend this bill so that it would be fit to go on the statute books.

Mr. O'CONNOR of New York. I do not know that it differs from the usual bill of this sort.

Mr. ARENTZ. If the gentleman will read the bill—

Mr. O'CONNOR of New York. Oh, I have read the bill.

Mr. STAFFORD. Will the gentleman point out why it is such a glaring monstrosity?

Mr. ARENTZ. It says in line 3, page 2, "provided that no part of the amount of any item appropriated in this act in excess of \$200 thereof, shall be paid," and so forth, and then it goes on to tell why, and in line 10, it says, "\$200," and then it again describes why it should not be paid, and then if you will read further on you will see that in line 16, it provides that it shall not exceed \$1,000.

Mr. O'CONNOR of New York. I think that is the usual proviso.

Mr. ARENTZ. And then on page 3, it is again repeated.

Mr. STAFFORD. If the gentleman will permit, would the gentleman's objection be removed if we struck out the proviso beginning in line 3, on page 2, and running down to line 16?

Mr. O'CONNOR of New York. In other words, strike out the first proviso?

Mr. ARENTZ. If the gentleman from Wisconsin can amend this bill so it will be in proper, legislative form, I shall agree to it, but the gentleman from Nevada does not feel capable of doing it in two or three minutes. Perhaps, the gentleman from Wisconsin can.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles Thomas the sum of \$25,000 in full settlement for injuries sustained by him; and the additional sum of \$5,000 is hereby appropriated for loss of services and expenses of Edgar Thomas, as a result of a collision, in which Charles Thomas was struck by an Army truck on Bell Avenue at Maxwell Avenue, Bayside, Long Island, on October 8, 1928: *Provided,* That no part of the amount of any item appropriated in this act in excess of \$200 thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered or advances made

in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum which exceeds \$200 of the amount of any item appropriated in this act on account of services rendered or advances made in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments.

In line 5, between the word "to" and the word "Charles," insert the following: "the legal guardian of."

In line 6, strike out the figures "\$25,000" and insert in lieu thereof the figures "\$2,500."

In line 7, strike out the figures "\$5,000" and insert in lieu thereof the figures "\$2,500."

On page 2, at the end of the bill, add the following:

*Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

Mr. O'CONNOR of New York. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 1, line 8, after the word "property," insert the words "to Edgar Thomas."

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 2, line 3, after the figures "1928," strike out the whole of the proviso down to and including line 16.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. SOMERS of New York. Mr. Speaker, I ask unanimous consent to return to No. 433. The gentleman who made the objection has changed his attitude.

The SPEAKER. The gentleman from New York asks unanimous consent to return to No. 433.

Mr. O'CONNOR of Oklahoma. Mr. Speaker, I must object. I have worn out a pair of trousers waiting for a bill that comes later on the calendar.

DISPOSITION OF CERTAIN PUBLIC LANDS IN THE STATE OF NEVADA

The Clerk read the title to the next bill on the Private Calendar, S. 557, to authorize the disposition of certain public lands in the State of Nevada.

Mr. SCHAFER of Wisconsin. Reserving the right to object, is this a unanimous report of the committee?

Mr. STAFFORD. The report from the Committee on Public Lands does not show any dissenting views by any member of the committee.

Mr. ARENTZ. I will say that it is the unanimous report.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Western Pacific Railroad Co., a California corporation, be permitted to purchase from the United States, at the price of \$2.50 per acre, the south half of the southwest quarter of section 28, township 34 north, range 66 east, Mount Diablo meridian, in Elko County, Nev., containing 80 acres; and that patent shall, after such purchase, issue to said company therefor: *Provided,* That the Western Pacific Railroad Co. file in the district land office at Carson City, Nev., an application for the said lands, and tender payment therefor at the price fixed herein within 60 days of the passage of this act: *Provided further,* That patent issued under the provisions of this act shall be subject to and contain a reservation to the United States of all the coal and other minerals in the land so patented, except sand and gravel, together with the right to prospect for, mine, and remove the same.

The bill was ordered to be engrossed and read the third time, was read a third time, and passed.

A motion to reconsider was laid on the table.



ROBERT G. DICKSON

The Clerk read the title to the next bill on the Private Calendar, H. R. 1508, providing for the advancement of Robert G. Dickson on the retired list of the Army.

Mr. SCHAFER of Wisconsin. I object.

CARROLL K. MORAN

The Clerk read the title of the next bill on the Private Calendar, H. R. 7672, for the relief of Carroll K. Moran.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Carroll K. Moran, deputy clerk of the United States District Court for the Eastern District of Virginia, Richmond, Va., out of any money in the Treasury not otherwise appropriated, the sum of \$182.70. Such sum represents the amount paid as witness fees and mileage by Carroll K. Moran to witnesses attending the October, 1929, term of court of the eastern district of Virginia, for which he was not reimbursed by the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

## COMMERCIAL LOAN &amp; TRUST CO.

Mr. GLOVER. Mr. Speaker, I ask unanimous consent for the present consideration of S. 5613, for the relief of Commercial Loan & Trust Co., Monticello, Ark., on the Speaker's table. This is identical with House bill 15803. It is an emergency matter. The bill was prepared in the Treasury Department, and it has already passed the Senate.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to take from the Speaker's table the bill S. 5613 and consider the same at this time.

Mr. BACHMANN. What is the number of the bill on the House Calendar?

Mr. GLOVER. H. R. 15803.

Mr. BACHMANN. I think we ought not to take the bill up out of its order.

The SPEAKER. The Chair recognized the gentleman from Arkansas for the reason, first, that this is a Senate bill on the Speaker's table, and second, that it is a matter of considerable emergency.

Mr. STAFFORD. May we have the bill reported under reservation of objection?

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of the Commercial Loan & Trust Co., Monticello, Ark., 5½ per cent United States Treasury certificate of indebtedness No. 3945, in the denomination of \$5,000, dated June 15, 1929, matured March 15, 1930, Series TM-1930, without interest and without presentation of the certificate which is alleged to have been lost and destroyed: *Provided*, That the said certificate of indebtedness shall not have been previously presented and paid: *Provided further*, That said Commercial Loan & Trust Co., shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of said certificate of indebtedness in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the certificate of indebtedness hereinbefore described.

Mr. SCHAFER of Wisconsin. I reserve the right to object. Does this bill have the approval of the Treasury Department?

Mr. GLOVER. Yes. The language was prepared in the Treasury Department.

Mr. SCHAFER of Wisconsin. What is the emergency?

Mr. GLOVER. This is a very small bank. We have had 146 bank failures in our State. I am informed by the bank officials that they have been notified by the bank examiners that this amount will have to be charged off as a loss unless it is paid immediately, and it might result in the closing of the bank.

Mr. BACHMANN. And they have to give a bond of double the amount?

Mr. GLOVER. Yes.

Mr. SCHAFER of Wisconsin. I withdraw any objection that I have.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 15803) was laid on the table.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. PATMAN, for to-day, on account of important business.

To Mr. CHASE, indefinitely, on account of serious illness in his family.

## ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3644. An act for compensation in behalf of John M. Flynn;

H. R. 8159. An act to authorize appropriation for construction at the United States Military Academy, West Point, N. Y.; Fort Lewis, Wash.; Fort Benning, Ga.; and for other purposes;

H. R. 9872. An act to extend the benefits of the employees' compensation act of September 7, 1916, to Andrew J. Brown, a former rural mail carrier at Erwin, Tenn.;

H. R. 14675. An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes;

H. R. 16297. An act to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926 (44 Stat. 630), and acts amendatory thereof; and

H. R. 16626. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

## BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 14675. An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes;

H. R. 16297. An act to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926 (44 Stat. 630), and acts amendatory thereof; and

H. R. 16626. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

## ADJOURNMENT

Mr. IRWIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 1 minute p. m.) the House adjourned until Monday, February 16, 1931, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

836. A communication from the President of the United States, transmitting schedules of claims amounting to \$47,695.47 allowed by the General Accounting Office, as covered by certificates of settlement, and for the service of the several departments and independent offices (H. Doc. No. 758); to the Committee on Appropriations and ordered to be printed.

837. A communication from the President of the United States, transmitting record of a claim for interest on a judgment rendered by the Court of Claims in favor of the Hudson



River Navigation Corporation, which requires an appropriation for its payment of \$5,010.54 (H. Doc. No. 759); to the Committee on Appropriations and ordered to be printed.

838. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims which have been submitted by the Attorney General through the Secretary of the Treasury and require an appropriation for their payment in the sum of \$582,904.56 (H. Doc. No. 760); to the Committee on Appropriations and ordered to be printed.

839. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Navy Department to pay claims for damages by collision with naval vessels in the sum of \$3,143.56 (H. Doc. No. 761); to the Committee on Appropriations and ordered to be printed.

840. A communication from the President of the United States, transmitting schedules covering certain claims allowed by the General Accounting Office as shown by certificates of settlement transmitted to the Treasury Department for payment, in the sum of \$36,622.17 (H. Doc. No. 762); to the Committee on Appropriations and ordered to be printed.

841. A communication from the President of the United States, transmitting records of judgments rendered against the Government by the United States district courts, under the public vessels act, Treasury Department, \$1,786.36; War Department, \$1,478.58; totaling \$3,264.94 (H. Doc. No. 763); to the Committee on Appropriations and ordered to be printed.

842. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the District of Columbia, fiscal year 1931, for the payment of final judgments that have been rendered against it amounting to \$75,103.48 (H. Doc. No. 764); to the Committee on Appropriations and ordered to be printed.

843. A communication from the President of the United States, transmitting estimates of appropriations submitted by the Veterans' Administration and executive departments to pay claims for damages to privately owned property in the sum of \$7,805.55 (H. Doc. No. 765); to the Committee on Appropriations and ordered to be printed.

844. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of State for the fiscal years 1930, 1931, and 1932, amounting to \$291,190.87 (H. Doc. No. 766); to the Committee on Appropriations and ordered to be printed.

845. A letter from the secretary of American Academy of Arts and Letters, transmitting report of its activities during the year ending December 31, 1930; to the Committee on the Library.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. PERKINS: Committee on Coinage, Weights, and Measures. H. R. 16973. A bill to authorize a change in the design of the quarter dollar to commemorate the two hundredth anniversary of the birth of George Washington; without amendment (Rept. No. 2668). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Idaho: Committee on Irrigation and Reclamation. S. 6046. An act to authorize advances to the reclamation fund, and for other purposes; without amendment (Rept. No. 2669). Referred to the Committee of the Whole House on the state of the Union.

Mr. BACHARACH. Committee on Ways and Means. H. R. 17054. A bill to increase the loan basis of adjusted-service certificates; without amendment (Rept. No. 2670). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Idaho: Committee on the Public Lands. S. 116. An act to add certain lands to the Idaho National Forest, Idaho; without amendment (Rept. No. 2671). Re-

ferred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Idaho: Committee on the Public Lands. S. 5588. An act to add certain public lands to the Washakie National Forest, Wyo.; without amendment (Rept. No. 2672). Referred to the Committee of the Whole House on the state of the Union.

Mr. McSWAIN: Committee on Military Affairs. H. R. 15071. A bill to authorize appropriations for construction at Plattsburg Barracks, Plattsburg, N. Y., and for other purposes; with amendment (Rept. No. 2673). Referred to the Committee of the Whole House on the state of the Union.

Mr. WAINWRIGHT: Committee on Military Affairs. H. R. 3149. A bill to authorize the acquisition of land in Oahu, Hawaii; without amendment (Rept. No. 2674). Referred to the Committee of the Whole House on the state of the Union.

Mr. FISHER: Committee on Military Affairs. H. R. 8160. A bill to authorize appropriation for construction at Fort Snelling, Minn., and Camp Devens, Mass., and for other purposes; without amendment (Rept. No. 2675). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 11009. A bill to authorize the acquisition of certain land for the proper defense of the Atlantic coast; without amendment (Rept. No. 2676). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULLER: Committee on the Public Lands. H. R. 14275. A bill to regulate the prescribing and use of waters from the Hot Springs Reservation at Hot Springs, Ark., and for other purposes; with amendment (Rept. No. 2677). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. DOXEY: Committee on Claims. H. R. 6717. A bill for the relief of John L. Hoffman; without amendment (Rept. No. 2660). Referred to the Committee of the Whole House.

Mr. GUYER: Committee on Claims. H. R. 7594. A bill for the relief of Lottie Naylor; without amendment (Rept. No. 2661). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 9656. A bill authorizing the Secretary of the Treasury to pay Dr. A. W. Pearson, of Peever, S. Dak., and the Peabody Hospital, at Webster, S. Dak., for medical services and supplies furnished to Indians; without amendment (Rept. No. 2662). Referred to the Committee of the Whole House.

Mr. CLARK of Maryland: Committee on Claims. H. R. 12962. A bill for the relief of the Federal Real Estate & Storage Co.; without amendment (Rept. No. 2663). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 14929. A bill for the relief of Mary Elizabeth O'Brien; with amendment (Rept. No. 2664). Referred to the Committee of the Whole House.

Mr. RAMSPECK: Committee on Claims. H. R. 16460. A bill for the relief of United States Marshal George B. McLeod; without amendment (Rept. No. 2665). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 16927. A bill to extend the benefits of the employees' compensation act of September 7, 1916, to Mary Elizabeth O'Brien, a former employee of the United States Veterans' Bureau; without amendment (Rept. No. 2666). Referred to the Committee of the Whole House.

Mr. CRADDOCK: Committee on War Claims. H. R. 9397. A bill for the relief of the Macon, Dublin & Savannah Railroad Co.; with amendment (Rept. No. 2667). Referred to the Committee of the Whole House.



Mr. BUTLER: Committee on the Public Land. H. R. 16641. A bill for the relief of Emanuel Wallin; without amendment (Rept. No. 2678). Referred to the Committee of the Whole House.

Mr. YON: Committee on the Public Lands. H. R. 15953. A bill for the relief of Marion F. Blackwell; with amendment (Rept. No. 2679). Referred to the Committee of the Whole House.

#### CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 14341) granting an increase of pension to Sophie H. Penn; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 16874) for the relief of George Price; Committee on the Post Office and Post Roads discharged, and referred to the Committee on Claims.

A bill (H. R. 16952) providing for settlement of claims of officers and enlisted men for extra pay provided by act of January 12, 1899; Committee on Claims discharged, and referred to the Committee on War Claims.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER: A bill (H. R. 17092) to amend the act of March 2, 1929 (45 Stat. 536); to the Committee on Immigration and Naturalization.

By Mr. GARBER of Oklahoma: A bill (H. R. 17093) to provide that officers of a State may have access to Federal income-tax returns; to the Committee on Ways and Means.

By Mr. LEAVITT: A bill (H. R. 17094) for the construction and equipping of a hospital on the Rocky Boy Indian Reservation, in the State of Montana; to the Committee on Indian Affairs.

By Mr. SUMNERS of Texas: Resolution (H. Res. 358) to abolish the custom of appropriating money from the contingent fund of the House in connection with funerals of deceased Members of Congress; to the Committee on Accounts.

By Mr. FREAR: Joint resolution (H. J. Res. 503) to amend section 211, Title II, of the revenue act of 1926, as amended; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: Joint resolution (H. J. Res. 504) regulating for a period of two years the migration of certain peoples into the United States; to the Committee on Immigration and Naturalization.

By Mr. CELLER: Joint resolution (H. J. Res. 505) to amend section 7, Title II, of the act of October 28, 1919, known as the national prohibition act, and to repeal the first paragraph of section 2 of the act of November 23, 1921, known as an act supplementary to the national prohibition act; to the Committee on the Judiciary.

#### MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the Legislature of the State of Wisconsin, memorializing Congress to enact legislation to reimburse all veterans of the World War the amounts which they paid as premiums on war-risk insurance while in the service of the United States; to the Committee on World War Veterans' Legislation.

Memorial of the Legislature of the State of Wisconsin, memorializing Congress to enact legislation either prohibiting the use of palm oil in the manufacture of oleomargarine or making any product manufactured with palm oil subject to the tax on colored oleomargarine; to the Committee on Agriculture.

Memorial of the Legislature of the State of Maine, memorializing Congress to exclude all Russian pulpwood or pulpwood products produced by convict and conscript labor from importation into this country; to the Committee on Ways and Means.

Memorial of the Legislature of the State of North Dakota, memorializing Congress for the enactment of Senate Joint Resolution 226 and House Joint Resolution 454; to the Committee on Indian Affairs.

By Mr. GARBER of Oklahoma: Memorial of the Oklahoma State Legislature, urging enactment of House bill 11133 granting to the State of Oklahoma 210,000 acres of unappropriated nonmineral land for the benefit of agricultural and mechanical colleges of the State of Oklahoma under the provisions of the acts of July 2, 1862, and July 23, 1866, and authorizing the Secretary of the Treasury upon the Secretary of the Interior certifying the number of acres available, and if there are not sufficient lands in Oklahoma to comply with the provisions of said acts to make an appropriation and pay the State of Oklahoma in lieu of said lands the sum of \$1.25 per acre for the number of acres due the State of Oklahoma; to the Committee on the Public Lands.

Also, memorial of the Oklahoma State Legislature, requesting amendment of the Federal revenue law by providing that proper officers of the several States shall have access to all Federal income-tax returns; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Oklahoma, memorializing Congress to pass immediately House Resolution No. 12995; to the Committee on Interstate and Foreign Commerce.

By Mr. HALL of North Dakota: Memorial of the Legislature of the State of North Dakota, memorializing Congress for the enactment of House Joint Resolution 454; to the Committee on Indian Affairs.

By Mr. McCLINTIC of Oklahoma: Memorial of the Legislature of the State of Oklahoma, memorializing Congress to amend the Federal revenue law by providing that proper officers of the several States shall have access to all Federal income-tax returns; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Oklahoma, memorializing Congress to grant to the State of Oklahoma 210,000 acres of unappropriated nonmineral land for the benefit of agricultural and mechanical colleges of the State of Oklahoma; to the Committee on Agriculture.

By Mr. NELSON of Maine: Memorial of the Legislature of the State of Maine, memorializing Congress to exclude the importation of Russian pulpwood into this country; to the Committee on Ways and Means.

By Mr. REILLY: Memorial in the nature of a joint resolution passed by the Wisconsin State Legislature, memorializing Congress of the United States to enact legislation prohibiting the use of palm oil in the manufacture of oleomargarine or making any product manufactured with palm oil subject to tax on colored oleomargarine; to the Committee on Agriculture.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 17095) granting an increase of pension to Catherine R. Forbes; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 17096) granting a pension to Irene M. Radcliff; to the Committee on Pensions.

By Mr. DOWELL: A bill (H. R. 17097) granting a pension to Rebecca Story; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 17098) authorizing the President of the United States to present in the name of Congress a medal of honor to Thomas H. Laird; to the Committee on Naval Affairs.

By Mr. HOGG of Indiana: A bill (H. R. 17099) granting an increase of pension to Mary E. Hollopeter; to the Committee on Invalid Pensions.

By Mr. JAMES of Michigan: A bill (H. R. 17100) for the relief of Florence Northcott Hannas; to the Committee on Naval Affairs.

Also, a bill (H. R. 17101) granting a pension to Hannah C. McCarthy; to the Committee on Pensions.



By Mr. JOHNSTON of Missouri: A bill (H. R. 17102) granting an increase of pension to Nancy Hoover; to the Committee on Invalid Pensions.

By Mrs. KAHN: A bill (H. R. 17103) for the relief of Nels D. Anderson; to the Committee on Claims.

Also, a bill (H. R. 17104) to authorize the appointment of First Sergt. John Rowland, retired, United States Army, to master sergeant, retired, United States Army; to the Committee on Military Affairs.

By Mr. LEAVITT: A bill (H. R. 17105) for the relief of G. Casman; to the Committee on Claims.

By Mr. MAGRADY: A bill (H. R. 17106) for the relief of Wilfred J. Drey; to the Committee on Claims.

By Mr. MANLOVE: A bill (H. R. 17107) granting a pension to Laura B. Riffe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17108) granting a pension to Dorothy B. Jones; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 17109) granting an increase of pension to Mattie L. Bennett; to the Committee on Invalid Pensions.

By Mr. ROBINSON: A bill (H. R. 17110) granting a pension to Ruvira Jerolaman; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 17111) granting an increase of pension to Mary Clark (with one accompanying paper); to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 17112) granting an increase of pension to Margaret T. Work; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 17113) granting an increase of pension to James M. Smith; to the Committee on Pensions.

Also, a bill (H. R. 17114) granting a pension to Ross Huston Horner; to the Committee on Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 17115) granting a pension to Lillian May Hendrickson; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

9643. Petition of Belle Randolph Van Horn and other citizens of New Orleans, La., favoring the Sparks-Capper stop-alien representation amendment; to the Committee on the Judiciary.

9644. Also, petition of citizens of New Orleans, La., favoring the Sparks-Capper stop alien representation amendment; to the Committee on the Judiciary.

9645. Also, petition of Miss A. P. Hamilton, favoring the passage of House bill 7884; to the Committee on the District of Columbia.

9646. Also, petition of National Republican Club of New York, opposing the calling of a Federal constitutional convention; to the Committee on the Judiciary.

9647. By Mr. ANDRESEN: Petition of John Ireland Club, of Red Wing, Minn., protesting the passage of Senate bill 4582; to the Committee on the Judiciary.

9648. By Mr. ARNOLD: Petition of citizens of Calhoun, Ill., urging passage of resolution to exclude unnaturalized aliens from census reports in connection with congressional reapportionment; to the Committee on the Judiciary.

9649. Also, petition of citizens of Brownstown, Ill., and vicinity, urging immediate cash payment of adjusted-service certificates of World War soldiers; to the Committee on Ways and Means.

9650. By Mr. BACHMANN: Petition of Charles W. Jones and other citizens of Grafton, W. Va., and F. B. Harrington, M. D., of Weirton-Cove Post, No. 10, Weirton, W. Va., urging that the United States Government immediately pay in cash to World War veterans the full face amount of adjusted-compensation certificates; to the Committee on Ways and Means.

9651. By Mr. BOHN: Petition of ex-service men, residents of the county of Alpena, Mich., heartily indorsing

proposed payment in full of adjusted-service certificates; to the Committee on Ways and Means.

9652. By Mr. CANFIELD: Petition of Rev. Alfred L. Beatty and 28 other citizens of Hope, Ind., urging the passage of the Sparks-Capper amendment; to the Committee on the Judiciary.

9653. Also, petition of Rev. H. C. Clippinger and 23 other citizens of Greenwood, Ind., urging the passage of the Sparks-Capper amendment; to the Committee on the Judiciary.

9654. By Mr. CARTER of California: Petition of 175 members of the Third Order of St. Francis, St. Francis de Sales Branch, of Oakland, Calif., protesting against the passage of Senate bill 4583, regarding distribution and sale of contraceptive literature; to the Committee on the Judiciary.

9655. Also, petition of 200 members of the Ladies' Auxiliary of Ancient Order of Hibernians of America, of Oakland, Calif., protesting against the passage of Senate bill 4582, regarding distribution and sale of contraceptive literature; to the Committee on the Judiciary.

9656. Also, petition of 200 members Catholic Daughters of America, Hayward, Calif., protesting against the passage of Senate bill 4582, regarding distribution and sale of contraceptive literature; to the Committee on the Judiciary.

9657. By Mr. CARTER of Wyoming: Petition of W. L. Stone, of Casper, Wyo., and others, favoring the passage of House bill 7884; to the Committee on the District of Columbia.

9658. By Mr. CHALMERS: Petition of the Toledo Chapter, No. 5, Disabled American Veterans of the World War, favoring the proposal to cash the adjusted-service certificates of World War veterans at their face value; to the Committee on Ways and Means.

9659. By Mr. CHRISTGAU: Petition of citizens of Clarks Grove, Minn., submitted by A. C. Anderson, of Clarks Grove, in behalf of the immediate cash payment at full face value of the adjusted-compensation certificates; to the Committee on Ways and Means.

9660. Also, resolution adopted by members of the Navy-Marine Post, No. 472, the American Legion, at Minneapolis, Minn., favoring the immediate payment of the face value of the adjusted-compensation certificates; to the Committee on Ways and Means.

9661. By Mr. CLAGUE: Petition of Mrs. C. C. Gilmore, of Pipestone, Minn., and others, in support of the Sparks-Capper resolution No. 356; to the Committee on the Judiciary.

9662. Also, petition of F. J. Schraeder, J. R. Lesewski, and others, of Canby; S. E. Greene, and others, of Odin; and Fred Jensen, and others, of Fairmont, Minn., favoring the immediate payment of the adjusted-compensation certificates; to the Committee on Ways and Means.

9663. By Mr. CLANCY: Petition of residents of the fifth congressional district, favoring the passage of House bill 7884; to the Committee on the District of Columbia.

9664. Also, petition of Edna Lucking Apel and other residents of Detroit, Mich., favoring the passage of House bill 7884; to the Committee on the District of Columbia.

9665. Also, petition of G. W. Otto and E. A. Bowman, of Detroit, Mich., urging the passage of House bill 7884; to the Committee on the District of Columbia.

9666. Also, petition of James E. Spier, circuit judge Macomb County, Mount Clemens, Mich., favoring the passage of House bill 7884; to the Committee on the District of Columbia.

9667. Also, petition of Walter Fenton, Mount Clemens Kiwanis Club, Mount Clemens, Mich., favoring the passage of House bill 7884; to the Committee on the District of Columbia.

9668. Also, petition of Emma Demay, Detroit, Mich., favoring the passage of House bill 7884; to the Committee on the District of Columbia.

9669. Also, petition of Ira E. Babcock, Detroit, Mich., favoring the passage of House bill 7884 without amendment; to the Committee on the District of Columbia.



9670. Also, petition of Mr. and Mrs. Edward Caulkins, of Detroit, Mich., favoring the passage of House bill 7884; to the Committee on the District of Columbia.

9671. Also, petition of residents of Detroit, Mich., favoring House bill 7884; to the Committee on the District of Columbia.

9672. Also, petition of residents of Detroit, Mich., favoring immediate payment in full of adjusted-compensation certificates; to the Committee on Ways and Means.

9673. By Mr. COCHRAN of Missouri: Petition of 250 citizens members of the American Legion Postal Service Post, No. 123, filed by Mathew N. Messmer, adjutant, 6916 Virginia Avenue, St. Louis, Mo., urging Congress to provide for the payment in full of adjusted-service certificates; to the Committee on Ways and Means.

9674. By Mr. CONNERY: Petition of 1,690 veterans and citizens of New England, favoring the cash payment of adjusted compensation of the World War Veterans; to the Committee on Ways and Means.

9675. Also, petition of 25 citizens of the seventh congressional district of Massachusetts in behalf of House bill 7884; to the Committee on the District of Columbia.

9676. By Mr. DALLINGER: Petition of various citizens of Middlesex County, Mass., praying for the enactment of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

9677. By Mr. ELLIS: Petition of R. Hartwig and others, favoring the immediate cash payment at full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9678. By Mr. FITZGERALD: Petition of Hamilton Circle, No. 200, Daughters of Isabella, by Leona Olinger, secretary, Hamilton, Ohio, protesting against the passage of Senate bill 4582 relative to birth control; to the Committee on the Judiciary.

9679. Also, petition of Mrs. Ellis J. Finke, executive secretary; Marie L. Crotty, supervisor case work; Emma Grusenmeyer, children's department; and Grace Hagedorn, registrar of the Catholic Charities, of Dayton, Ohio, urging immediate passage of Senate bill 3060 to relieve the unemployment situation; to the Committee on the Judiciary.

9680. By Mr. FITZPATRICK: Petition signed by E. Pettinger, of 155 Riverdale Avenue, Yonkers, N. Y., and 38 other residents of Yonkers, N. Y., urging the immediate cash payment of the World War veterans' adjusted-service certificates; to the Committee on Ways and Means.

9681. By Mr. FRENCH: Petition of Paul C. Wolman, commander in chief Veterans of Foreign Wars of the United States; Ethel Stratton Nock, National Gold Star chairman, American War Mothers, Washington, D. C.; Admiral R. E. Coontz, president the National Sojourners, Washington, D. C.; Mrs. John Laidlaw Buel, national president National Society of Daughters of Founders and Patriots of America, Litchfield, Conn.; and A. Streiff, 115 Second Street, Jackson, Mich., favoring building Navy up to London treaty; to the Committee on Naval Affairs.

9682. Also, petition of Mrs. C. B. Steunenberg, superintendent of public instruction, Boise, Idaho, protesting against reduction of enlisted and officer personnel; to the Committee on Naval Affairs.

9683. Also, petition of Florence H. Luscomb, executive secretary Women's International League for Peace and Freedom, Boston, Mass., urging parity of security instead of parity of tonnage, and that the naval treaty of London be not regarded as ground for increasing naval appropriations; to the Committee on Naval Affairs.

9684. Also, petition of Mrs. John Laidlaw Buel, national president National Society of Daughters of Founders and Patriots of America, Litchfield, Conn.; Paul C. Wolman, commander in chief Veterans of Foreign Wars of the United States; Admiral R. E. Coontz, president the National Sojourners, Washington, D. C.; Ethel Stratton Nock, chairman National Gold Star American War Mothers,

Washington, D. C.; N. P. Alifas, president, District No. 44, International Association of Machinists, Washington, D. C.; and Florence O. Thomas, Department of Agriculture, Washington, D. C., favoring modernization of battleships; to the Committee on Naval Affairs.

9685. By Mr. GARBER of Oklahoma: Petition of American Federation of Labor, urging the increase in border patrol; to the Committee on Interstate and Foreign Commerce.

9686. Also, petition of Farmers Gin Co., regarding the activities of the Federal Farm Board and Federal agricultural marketing act; to the Committee on Agriculture.

9687. Also, petition of National Cooperative Council, opposing amendment to the agricultural marketing act; to the Committee on Agriculture.

9688. Also, petition of Carmen Memorial Post, No. 47, American Legion, Carmen, Okla., regarding House bill 15621; to the Committee on World War Veterans' Legislation.

9689. Also, petition of Capt. A. C. Garrison, Ponca City, Okla., urging payment of adjusted-service certificates; to the Committee on Ways and Means.

9690. By Mr. GREENWOOD: Petition of John Henry and others, favoring proposed amendment to the Constitution to exclude aliens from count for reapportionment of representation in Congress; to the Committee on the Judiciary.

9691. By Mr. HALL of North Dakota: Petition of 26 residents of Westhope and Maxbass, N. Dak., urging the passage of House Joint Resolution No. 356; to the Committee on the Judiciary.

9692. By Mr. HANCOCK of New York: Petition of Rev. G. Winne Taft and other residents of Onondaga County, N. Y., favoring the Sparks-Capper amendment; to the Committee on the Judiciary.

9693. By Mr. HICKEY: Petition of Mrs. G. H. Denison and other residents of Hanna, Ind., urging passage of the Sparks-Capper stop alien representation amendment, House Joint Resolution No. 356; to the Committee on the Judiciary.

9694. By Mr. HILL of Washington: Petition of Woman's Christian Temperance Union, of Wenatchee, Wash., asking for enactment of a law for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

9695. By Mr. HOOPER: Petition of citizens of Eaton Rapids, Mich., favoring immediate cash payment at full face value of adjusted-compensation certificates; to the Committee on Ways and Means.

9696. By Mr. HALL of Illinois: Petition of the Women's Catholic Order of Foresters, by Anna R. Downes, protesting passage of Senate bill 4582; to the Committee on the Judiciary.

9697. By Mr. JOHNSON of South Dakota: Petition of members of Methodist Episcopal Church, Britton, S. Dak., Henry D. Gough, pastor, favoring House Joint Resolution No. 356, providing for an amendment to the United States Constitution excluding unnaturalized aliens when making apportionment for congressional districts; to the Committee on the Judiciary.

9698. By Mr. JOHNSON of Texas: Petition of committee of Texas Reclamation and Drainage Association, John T. Fortson, president; Guy M. Gibson, secretary; and Judge Rufus Hardy, Frank N. Drane, Joe B. Fortson, and J. Frank Williams, urging passage of Senate bill 4123; to the Committee on Rules.

9699. By Mr. KOPP: Petition of numerous residents of Crawfordsville, Mount Pleasant, Salem, Pleasant Plain, and Washington, Iowa, urging the passage of the so-called Sparks-Capper amendment; to the Committee on the Judiciary.

9700. Also, petition of Jean Loras Circle, No. 181, Daughters of Isabella, Fort Madison, Iowa, protesting against the amendment of the tariff act and Criminal Code so that literature and material for use in contraception or artificial birth control could be imported and distributed throughout the country; to the Committee on the Judiciary.



9701. By Mr. KVALE: Petition of 38 citizens of Willmar, Minn., urging cash payment of adjusted-compensation certificates; to the Committee on Ways and Means.

9702. Also, petition of Merton-Dale Post, No. 80, American Legion, Wheaton, Minn., submitted by R. H. Steidl, adjutant, favoring immediate cash payment of adjusted-compensation certificates; to the Committee on Ways and Means.

9703. By Mr. LINDSAY: Petition of National Association of United States Civil Service Employees and National Federation of Federal Employees, urging that the naval clothing factory at the naval supply department, Brooklyn, N. Y., be not restricted in its present efficient operation; to the Committee on Naval Affairs.

9704. By Mr. LOZIER: Petition of numerous citizens of Wakenda, Mo., praying Congress to enact legislation for cash payment at full face value of adjusted-compensation certificates; to the Committee on Ways and Means.

9705. By Mr. McCORMACK of Massachusetts: Petition of Arthur Peabody, 95 Commercial Street, and others, of West Lynn, Mass., urging early and favorable consideration of legislation providing for immediate cash payment of adjusted-service certificates; to the Committee on Ways and Means.

9706. By Mr. MEAD: Petition of Woman's Christian Temperance Union, of Collins Center, N. Y., for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

9707. By Mr. MILLER: Petition of Seattle Council of Catholic Women, protesting favorable consideration or enactment of Senate bill 4582; to the Committee on the Judiciary.

9708. By Mr. MOORE of Virginia: Petition of Anna Groh, Katie Groh, Mrs. J. T. Jones, and others, urging support of the Sparks-Capper amendment to the United States Constitution; to the Committee on the Judiciary.

9709. By Mr. NIEDRINGHAUS: Petition of citizens of St. Louis, Mo., favoring immediate payment of adjusted-service certificates at their face value; to the Committee on Ways and Means.

9710. By Mr. PALMER: Petition of Ches Spreckelmeyer, of 329 New Street, and numerous other citizens of Springfield, Mo., favoring cash payment for adjusted-compensation certificates; to the Committee on Ways and Means.

9711. By Mr. FRANK M. RAMEY: Petition of Waples-Bauer Post, No. 94, American Legion, Nokomis, Ill., favoring immediate payment in cash at full face value of the World War veterans' adjusted-service certificates; to the Committee on Ways and Means.

9712. Also, petition of board of governors, the Veterans' Service Bureau, Springfield, Ill., protesting against moving the Air Corps Technical School from Chanute Field, Rantoul, Ill., to Wright Field, Dayton, Ohio; to the Committee on Military Affairs.

9713. Also, resolution of La Fore Lock Post, No. 755, Springfield, Ill., Veterans of Foreign Wars of the United States, protesting against transfer of the Air Corps Technical School from Chanute Field, Rantoul, Ill., to Wright Field, Dayton, Ohio; to the Committee on Military Affairs.

9714. Also, petition of Lincoln Home Camp, No. 64, United Spanish War Veterans, Department of Illinois, protesting against moving the Air Corps Technical School from Chanute Field, Rantoul, Ill., to Wright Field, Dayton, Ohio; to the Committee on Military Affairs.

9715. By Mr. REED of New York: Petition of Sherman Branch of the Woman's Christian Temperance Union, of Sherman; Chautauqua County Woman's Christian Temperance Union; and Baptist Church Ladies' Aid, of Fredonia, N. Y., indorsing House bill 9986; to the Committee on Interstate and Foreign Commerce.

9716. By Mr. RICH: Petition of citizens of Williamsport, Pa., favoring House Joint Resolution No. 356, known as the Sparks-Capper bill; to the Committee on the Judiciary.

9717. Also, petition of citizens of Wellsboro, Pa., favoring the passage of House Joint Resolution No. 356, known as the Sparks-Capper bill; to the Committee on the Judiciary.

9718. By Mr. ROBINSON: Petition of Mrs. C. F. Paine and 42 other citizens of Eldora, Iowa, urging the passage of the Sparks-Capper stop alien representation amendment, H. J. Res. 356; to the Committee on the Judiciary.

9719. Also, petition of Rev. Albert R. Rice and 16 other citizens of Eldora, Iowa, urging the passage of the Sparks-Capper stop alien representation amendment, H. J. Res. 356; to the Committee on the Judiciary.

9720. By Mr. SANDERS of New York: Petition of Rev. George O. Fisher and 42 other citizens of Avon, N. Y., urging enactment of the Sparks-Capper bill, providing for constitutional amendment excluding aliens from the count for representation in Congress; to the Committee on the Judiciary.

9721. By Mr. SANDERS of Texas: Resolution of Advertising Men's Post, No. 209, of American Legion, New York City, urging consideration to compromise legislation on bonus bill increasing present loan value on bonus policies to approximately 50 per cent of their maturity value; to the Committee on Ways and Means.

9722. By Mr. SPARKS: Petition of Woman's Christian Temperance Union of Palco, Kans., for the Federal supervision of the motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9723. Also, petition of Kansas yearly meeting of friends, of Alton, Kans., for the Federal supervision of the motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9724. Also, petition of Woman's Christian Temperance Union of Glade, Kans., for the Federal supervision of the motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9725. Also, petition of Woman's Christian Temperance Union, of Beloit, Kans., for the Federal supervision of the motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9726. By Mr. STRONG of Pennsylvania: Petition of citizens of Indiana County, Pa., favoring the proposed amendment to the United States Constitution to exclude unnaturalized aliens from the count of population for congressional apportionment; to the Committee on the Judiciary.

9727. Also, petition of citizens of Jefferson County, Pa., favoring the proposed amendment to the Constitution of the United States to exclude unnaturalized aliens from the count of population for congressional apportionment; to the Committee on the Judiciary.

9728. By Mr. SWANSON: Petition of Christian Haupt and others, favoring the exclusion of aliens in the apportionment of the House of Representatives; to the Committee on the Judiciary.

9729. Also, petition of Ora Fisher and others, favoring the exclusion of aliens in the apportionment of the House of Representatives; to the Committee on the Judiciary.

9730. By Mr. SWING: Petition of 17 citizens of California, urging the passage of the dog exemption bill, H. R. 7884, to save dogs the horrors of vivisection; to the Committee on the District of Columbia.

9731. Also, petition of L. F. Courtright and 38 citizens of Patton, Calif., urging the immediate cash payment at full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9732. Also, petition of R. M. Greer and 38 other citizens of Patton, Calif., urging the immediate cash payment at full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9733. Also, petition of W. A. Pike and 38 other citizens of San Bernardino, Calif., urging the cash payment of adjusted-compensation certificates at full face value as created by



section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9734. Also, petition of H. A. Bennett and 38 other citizens of Victorville, Calif., urging the cash payment of adjusted-compensation certificates at full face value as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9735. By Mr. TEMPLE: Petition of Rev. L. M. Bonner, Roscoe, Pa., urging passage of the proposed Sparks-Capper amendment to the Constitution of the United States, which would permit the omission of unnaturalized aliens and count only citizens as a basis for apportionment of Congressmen to the various States; to the Committee on the Judiciary.

9736. By Mr. TILSON: Resolution passed by the Jewish Community Council, of New Haven, Conn., upon the subject of alien registration; to the Committee on Immigration and Naturalization.

9737. By Mr. TURPIN: Petition of citizens of Luzerne County, Pa., urging passage of House Joint Resolution 356, known as the stop alien representation amendment; to the Committee on the Judiciary.

9738. By Mr. WATRES: Petition of the Catholic Woman's Club, of Scranton, Pa., protesting against the passage of Senate bill 4582; to the Committee on the Judiciary.

9739. Also, petition of representative members of the Federation of Men's Bible Classes, of the Primitive Methodist Churches of Jermyn, Blakely, Dickson City, Taylor, Archbald, and Scranton, Pa., unanimously favoring the passage of House Joint Resolution No. 356; to the Committee on the Judiciary.

9740. By Mr. WYANT: Petition of citizens of Berry, Westmoreland County, Pa., favoring Sparks-Capper amendment eliminating 7,500,000 unnaturalized aliens from count in proposed congressional reapportionment; to the Committee on the Judiciary.

9741. Also, petition of citizens of Jeannette, favoring immediate cash payment of World War veterans' adjusted-service certificates; to the Committee on Ways and Means.

9742. Also, petition of Veterans' Association of the One hundred and seventh Field Artillery, Twenty-eighth Division, requesting cash payment of adjusted-service certificates; to the Committee on Ways and Means.

9743. Also, petition of citizens of Latrobe, Westmoreland County, Pa., requesting cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

## SENATE

MONDAY, FEBRUARY 16, 1931

(Legislative day of Monday, January 26, 1931)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hattigan, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 8. An act for the relief of Lieut. David O. Bowman, Medical Corps, United States Navy;

S. 557. An act to authorize the disposition of certain public lands in the State of Nevada; and

S. 5613. An act for the relief of Commercial Loan & Trust Co., Monticello, Ark.

The message also announced that the House had passed the bill (S. 2854) for the relief of Mrs. A. K. Root, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 303. An act for the relief of Charles Thomas and Edgar Thomas;

H. R. 305. An act for the relief of Northern Trust Co., the trustee in bankruptcy of the Northwest Farmers Cooperative Dairy & Produce Co., a corporation, bankrupt;

H. R. 6817. An act for the relief of Robert Bennett;

H. R. 7672. An act for the relief of Carroll K. Moran;

H. R. 7849. An act for the relief of R. K. Stiles & Co.;

H. R. 8103. An act for the relief of the American Falls Realty & Water Works Co. (Ltd.), of Power County, Idaho;

H. R. 9946. An act for the relief of Annie M. Eopolucci; and

H. R. 11015. An act to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926.

### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 3644. An act for compensation in behalf of John M. Flynn;

H. R. 8159. An act to authorize appropriation for construction at the United States Military Academy, West Point, N. Y.; Fort Lewis, Wash.; Fort Benning, Ga.; and for other purposes; and

H. R. 9872. An act for the relief of Andrew J. Brown.

### APPROVAL OF THE JOURNAL

Mr. FESS. Mr. President, I ask unanimous consent that the Journal for Thursday, Friday, and Saturday of last week may stand approved.

The VICE PRESIDENT. Without objection, it is so ordered.

### ORDER OF BUSINESS

Mr. BINGHAM. Mr. President, I ask unanimous consent that the pending motion of the Senator from Maine [Mr. HALE] to proceed to the consideration of the bill (S. 5288) to authorize the construction of certain naval vessels, and for other purposes, may be temporarily laid aside and that the Senate proceed to the consideration of the District of Columbia appropriation bill, H. R. 16738.

Mr. McNARY. Mr. President, in the absence of a quorum I would not want to have the request of the Senator from Connecticut submitted by the Chair. Therefore I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	La Follette	Sheppard
Barkley	Fletcher	McGill	Shipstead
Bingham	Frazier	McKellar	Shortridge
Black	George	McNary	Smith
Blaine	Gillett	Morrison	Smoot
Blease	Glass	Morrow	Steck
Borah	Glenn	Moses	Steiwer
Bratton	Goff	Norbeck	Stephens
Brock	Goldsborough	Norris	Swanson
Broussard	Gould	Nye	Thomas, Idaho
Capper	Hale	Oddie	Trammell
Caraway	Harris	Partridge	Tydings
Carey	Hayden	Patterson	Vandenberg
Connally	Hebert	Phipps	Wagner
Copeland	Heflin	Pine	Walcott
Couzens	Howell	Pittman	Walsh, Mass.
Cutting	Johnson	Ransdell	Walsh, Mont.
Dale	Jones	Reed	Waterman
Davis	Kean	Robinson, Ark.	Watson
Deneen	Kendrick	Robinson, Ind.	Wheeler
Dill	King	Schall	

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present. The request of the Senator from Connecticut is pending.

Mr. KING. Mr. President, I understood when we recessed on Saturday that I would have the floor this morning upon the reconvening of the Senate.

The VICE PRESIDENT. The Senator from Connecticut [Mr. BINGHAM] was recognized to submit a unanimous-consent request. If it was understood that the Senator from Utah should be recognized—

Mr. BINGHAM. Mr. President, I have no desire to take the Senator from Utah off the floor. My request was merely in order to facilitate business. I understand debate on